

PESSIS

Social dialogue in social services
National report, Finland



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Table of contents

1. Introduction	1
2. Social Services	2
2.1. The Field of Social Services.....	3
2.2. Service Providers and Personnel of the Sector	5
2.3. Financing of Social Services	9
3. The Collective Agreements as a Form of Social Dialogue	11
3.1. The Collective Agreement System.....	12
3.2. Collective Agreements of the Social Services Sector	13
3.3. Local Agreements for Employment Terms	15
4. Social Dialogue in Social Services	19
4.1. Public Sector as an Employer.....	19
4.2. Private Sector as an Employer	20
4.3. Important Issues in Social Dialogue	22
5. Conclusions	24
Bibliography	26
Attachments	30



1. Introduction

PESSIS – Social Dialogue in Social Services (Promoting Employers’ Social Services Organizations in Social Dialogue) – project’s purpose is to gather quantitative and qualitative information on social dialogue in social services from the perspective of an employer. The goal is to understand how the social dialogue between employers and employees works (or doesn’t work) in social services as well as identify factors that prevent a more intense co-operation.

In Pessis –project the term social dialogue is defined as ‘a dialogue between employers and employees’. It deals with the terms of employment as well as the development, negotiation and agreement on working conditions. The negotiating parties are the employer and the employee and, when necessary, the government as a third party. Social dialogue can take place at an individual level or on a local and federal level, but also at the national and European Union level by crossing the federal boundaries.

The following social services are the focus of attention in the project:

- Long-term care for the elderly and sheltered housing activities
- Care and rehabilitation for people with disabilities
- Child care
- Other social services: for example services directed at people with mental problems and problems with substance abuse

The project is managed by the European Associations of Service Providers for Persons with Disabilities (*EASPD*) in collaboration with eight other European social service organizations (*Caritas Europa*, the European Council of Associations of General Interest *CEDAG*, the European Platform for Rehabilitation *EPR*, the European Federation of Public Service Unions *Epsu*, *Eurodiaconia*, the European Federation of national Organizations Working with the Homeless *FEANTSA*, *Solidar*, *Workability Europe*) as well as non-governmental organizations administering national surveys performed in ten European countries (Austria, Great Britain, Spain, Ireland, Belgium, Germany, Finland, Slovenia, Greece, Holland). In addition, the research project involves France as an observer. The Finnish national survey is administered by Hengitysliitto ry (*Pulmonary association*)/ Luovi Vocational College. The research manager of Luovi Vocational College, Doctor of Education Anna-Liisa Lämsä, is responsible for the co-ordination and implementation of the survey.



The project will produce national reports in eleven European countries, in each country's native language. The reports will provide answers to the following questions:

- How many employers and employees are there in social services?
- How extensively are the employers and employees covered by the collective agreements?
- To what extent do the employers of the social service sector participate in social dialogue, and at what level?
- What are the most important issues in the social dialogue taking place in the social service sector and at what level? Are there issues that could be dealt with at the European Union level?

Answers to these questions are sought from previous studies, statistics and other documents, by inquiries and interviews directed at the representatives of social administration, social services providers and the trade unions of the sector as well as by analyzing the collective agreements of the sector and other agreements and recommendations related to them. The questions in the surveys and interviews were similar, so they have been used as alternative methods of gathering material depending on the situation of the respondents.

The national reports are translated into English, and an international summary report, which also includes recommendations for the European Parliament regarding the promotion of social dialogue, is devised on the basis of them.

2. Social Services

In accordance with the Social Welfare Act (710/1982), in Finland the municipalities are responsible for the organization of social services needed by their inhabitants.

Social services arranged by municipalities are:

- Services for the elderly; home help services, sheltered housing and residential nursing care activities.
- Services for the disabled; general social services are primary, special services (housing, assistive device, transportation and interpreter services) are used if necessary.
- Services for children and families; daycare, home help services, residential and professional family care activities for children and young people
- Support, treatment and rehabilitation services for substance abusers and their families as well as housing services for people with mental health problems.

In addition to the above mentioned, the range of services offered by municipalities includes guidance, counseling and investigation of social problems and other support activities performed by the professional personnel of social services. These support



activities maintain and promote the safety and management of everyday life of individuals and families as well as the functionality of communities. This report focuses on the above mentioned nursing and caring services directed at the elderly, the disabled, children and families, as well as to those who have problems with substance abuse and mental health, and which do not constitute health care. Social security and caring for family as well as long-term institutional care of elderly for example in a hospital ward are left outside of this analysis, since they do not deal with the social services referred to in this context.

2.1. The Field of Social Services

The Finnish social service system in its current form began in the 1970s-1980s. Before that the service offering was based on the tradition of poor relief. The change of the service system dealt with the enlargement of the range of services and the differentiation of services by target groups. On the other hand the change dealt with the shift from institution-orientated services towards non-institutional care.

Table 1. Development of social services in Finland (Anttonen & Sipilä 2011, 26–29).

Concept	Statute	Content
Ward system	Mendicant legislation → ward system 1871	The houses of a parish formed a ward that took care of a certain number of the poor. The person in need received food, clothing, care and a burial from the house.
Poor Law	Cripple care Degree in 1852 and 1879	Institutional care meant houses for the poor, elderly, disabled and children. Non-institutional care included being a "huutolainen" which meant being auctioned for a placement in a farm house.
Poor relief	Poor Relief Act 1946 Act Correctional Institutes of the State and Municipalities 1922 Child Welfare Act 1936 Vagabond Act 1936	Institutional care as in the Poor Law statute. In addition, correctional institutes and children's homes of the state and municipalities. Non-institutional care mostly poor relief.
Social services	Children's Day Care Act 1973 Act on Special care of the mentally handicapped 1977 Social Welfare Act 1982 Child Welfare Act 1983, 2007 Substance Abuse Services Act 1986 Disabled Services Act 1987	The principle committee for social welfare 1971. Non-institutional priority in all the acts. Institutional care diversifies to affect also the short-term care and day care.

Today non-institutional care services are a priority in services offered to all target groups. Institutional care should be used only when the non-institutional care



services are not sufficient to guarantee the necessary treatment and care for the customer. Especially in elderly services the aim is to enable living at home for as long as possible. The private sector became involved in the production of social services since the beginning of the 1990s. At present, it is responsible for about a third of the services.

Social services in their current form can be roughly divided into institutional services and non-institutional services for those who live at home. Alternatively, services can be classified on the basis of target groups, so the services can be divided into institutional and non-institutional services targeted at the elderly, disabled, substance abusers and those with mental health problems, and into daycare, foster care and home care services targeted at families with children. In Finland, health care and nursing organizations are outside of this, because they do not belong to social services.

Institutional care is provided for over 65-year-old senior citizens who need plenty of assistance, to the disabled and to persons with substance abuse problems in need of long-term rehabilitation, for whom round-the-clock service or rehabilitation they require cannot be arranged at home or in a service apartment. Institutional care is provided in retirement homes, nursing homes and care homes. In addition to the treatment the care includes food, medication, hygiene and clothing as well as services that promote social welfare. (Sosiaali- ja terveystalvet 2012b.)

Sheltered housing is available when an elderly, a disabled or a person with substance abuse or mental health problems needs a lot of help to be able to cope with everyday chores but doesn't need institutional care. Sheltered housing always includes both housing and support services related to housing. Sheltered housing can be arranged in conventional apartments, in special service houses, group homes and residential groups. What is essential is that the resident has accommodation that is suitable for his/her needs. Housing support services can be implemented diversely and individually. Services may include home care assistance, food services, security services, assistance services, home care health services and other support services. (Sosiaali- ja terveystalvet 2012b.)

Child daycare is social support provided for families with children by the government. In Finland, all children under school age are entitled to municipal daycare after the parents' maternal and paternal leave. The municipality has a duty



to arrange care for the children also in the evenings, nights and weekends if their parents' work or studies requires it. Daycare can mean daycare taking place in a daycare center or family daycare. Child minders can care for the children in their own home, in group homes or in the children's own homes. As an alternative to municipal daycare parents can choose private care allowance or homecare allowance for children under the age of three. A year before compulsory education starts a child is entitled to pre-school education arranged in connection with either daycare or school. (Sosiaali- ja terveystalvelut 2012b.)

Children's foster care can be arranged as family care, institutional care or in another way compatible to the needs of the child. Foster care can be arranged when the growing conditions and the child's own actions endanger the child's healthy and balanced development to the extent that living at home is not in the child's best interest. Institutional care is arranged if the child's foster care cannot be arranged with the help of support services in home care or elsewhere. (Child Welfare Act 417/2007.) Institutional care of child protection is arranged in reception homes, children's homes, juvenile homes, approved schools and other protection institutions for children. (Sosiaali- ja terveystalvelut 2012b.)

2.2. Service Providers and Personnel of the Sector

Finland has 336 municipalities and about 140 communities of municipalities who organize statutory basic services for their residents. They can arrange services as their own activity, together with other municipalities as a community of municipalities or by purchasing services from another municipal or private operator. (Aarnio & Sipilä 2007, 14; Julkinen sektori työnantajana 2006.) Municipalities produce approximately $\frac{2}{3}$ of the social services by themselves or in cooperation with other municipalities.

The number of municipal personnel has more than doubled in the last thirty years. The growth in personnel has been affected by the increase of statutory welfare services and the related growth of the share of social and health care services personnel of the labour force. In 2009, one fifth of the working population worked in the municipal sector. 15.3 per cent, i.e. more than one in seven of all workers were employed by statutory basic service tasks of social and health care services. (Sosiaali- ja terveystalvelujen henkilöstö 2008.) A large part of the increase in the municipal sector's personnel was caused by the growth of the need for staff in services for the elderly. An ageing population is likely to increase the need for



services for the elderly in the future, as well. Health care and nursing personnel are not included in the material of this report. (Julkinen sektori työnantajana 2006, 5-6; Kunta-alan työolobarometri 2011.)

The two largest groups of social services with regard to the number of employees are the services for the elderly and children's day care. In 2010, about three quarters of the entire personnel of social services was employed by these two sectors.

Table 2. Number of employees in social services in 2000-2008.

Social services	2000	2008	Change 2000–2008 person	Change 2000–2008 %
Care for the elderly	57 100	81 300	24 200	29,8
Child daycare	59 300	62 500	3 200	5,1
Other social services	37 000	42 000	5 000	11,9
Total	153 400	185 800	32 400	17,4

Resource: National institute of Health and Welfare, Official Statistics of Finland. Personnel in Municipal social welfare and healthcare services in 2010.

In 2008, over $\frac{2}{3}$ of the personnel of social services was employed by the public sector in the service of municipalities and communities of municipalities. The role of municipalities as a producer of social services is especially important in children's day care and in residential nursing care activities and home help services for the elderly. Instead, private service producers organize the sheltered housing activities for the elderly increasingly.

Table 3. Public and private social services providers by industry in 2008.

	Total N	Public ¹⁾ %	Private ²⁾	
			Business enterprises %	Non-profit organizations %
Care for the elderly	81 300	62,7	18,6	18,6
• Residential nursing care activities for the elderly	22 300	83,4	3,1	13,5
• Sheltered housing activities for the elderly	32 600	31,6	34,4	34,0
• Home help services for the elderly	26 400	83,4	3,1	13,5
Child daycare	62 500	89,7	5,8	4,6
Other social services	42 000	50,2	15,3	34,5
Total	185 800	69,0	13,5	17,5

Resource: National institute of Health and Welfare, Official Statistics of Finland. Personnel in the Municipal social welfare and healthcare services 2010; Personnel in Social welfare and Healthcare services 2008.

- 1) Further information about the personnel in the public social welfare services in appendix 1.
- 2) Further information about private social service providers in appendix 2.



Although municipalities still produce a large part of the social services by themselves, the number of private social service providers has increased steadily throughout the 2000s. In 2000, the number of operating units of private social services providers was 2,700 and in 2010 already 4,350. In 2010, there were 2,922 private providers of social services, some of whom had more than one operating unit.

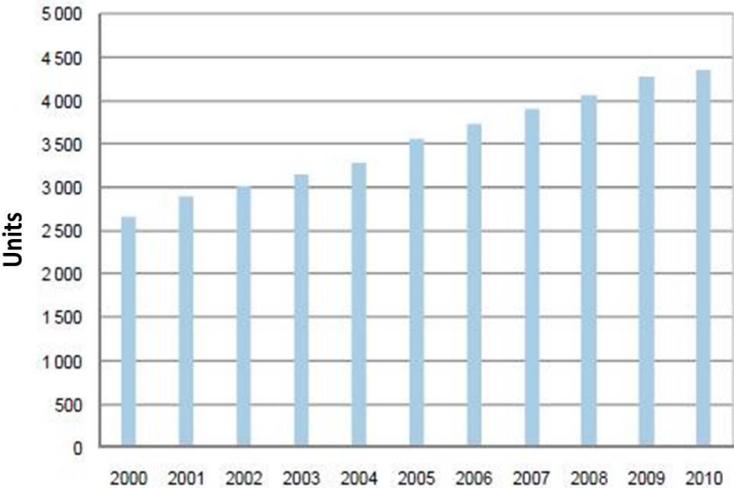


Figure 1. Private social service units in 2000–2010

Resource: National institute of Health and Welfare, Official Statistics of Finland. Private social services 2010.

In relative terms, the role of the private services providers is the greatest in child protection services as well as in the sheltered housing activities for the elderly and the disabled and residential care activities for substance abusers. However, child day care services and residential nursing care activities for the elderly and the disabled are most often produced by municipalities.

Most private service providers are small workplaces, and only a few of them are bigger and operate nation-wide (Aarnio & Sipilä 2007, 15). Significant portion of the people who work in the sector are employed by bigger employers. Workplaces in the private social services sector can be further divided into profit-oriented and non-profit. The profit-orientated are privately owned companies and they can also be a part of a larger group, whose aim is to produce profit for its owners, just like ordinary limited companies. Non-profit workplaces are owned by associations or foundations, and the possible profit they generate is returned back to the activities of the organization or remains with the association. (Edunvalvonnän arkea ... 2009, 37.)

Table 4. Social services purchased by municipalities in 2010.



	Municipality or joint municipal board	Private sector	Non-profit organizations	Business enterprises
Child daycare	88,7	11,3	5,6	5,7
Residential and professional family care activities for children and young people	32,5	67,5	13,2	54,3
Residential nursing care activities for the elderly	88,6	11,4	8,4	3,0
Residential nursing care activities for the disabled	82,7	17,3	16,0	1,3
Sheltered housing activities for the elderly	48,3	51,7	28,6	23,1
Sheltered housing activities for the elderly with 24-hour assistance	45,1	54,9	28,1	26,8
Sheltered housing activities for the disabled	53,1	46,9	19,9	27,1
Sheltered housing activities for the disabled with 24-hour assistance	44,4	55,6	22,4	33,2
Residential care activities for substance abusers	34,8	65,2	59,0	6,2

Resource: The Association of Social Service Employers/ Statistics of Finland 2010.

Act on Qualification Requirements for Social Welfare Professionals (272/2005) determines the eligibility of the personnel and who can be performing the professional work. In 2008, the largest occupational group in the social services sector was the practical nurses. Other large personnel groups are the childminders and kindergarten assistants as well as social work instructors and educators. The majority of different occupational groups in the social sector worked in the public sector.

The proportion of men in social services occupations was low. The proportion of men was especially low in different jobs in day care and home care, in addition to which only a small part of the practical nurses were male. Relatively most men worked as social work instructors and educators, personal care workers and mental handicap nurses. Relatively few people of non-Finnish origin worked in different occupations in the social sector. However, more persons of foreign origin than men worked as practical nurses, childminders, family childminders, kindergarten assistants, home care nurses and home care assistants. The median age of people working in social services was 43.4 years in 2008. The oldest by their median age were family care nurses, home aids and home assistants.



Table 5. The employees in social services by occupational group, the percentage (%) of employees working in the public sector, men, foreign nationals or non-Finnish origin and the average age of employees in 2008.

Occupation groups ¹⁾	Total	Public sector %	Men %	Foreign nationals or non-Finnish origin %	Average age
Pre-primary education teaching	13 520	90,1	3	2,0	40,8
professionals	4 140	67,8	10	1,8	42,9
Social workers	18 330	51,4	21	3,1	41,1
Social work instructors and educators	24 970	87,5	3	4,3	41,5
Childminders and kindergarten assistants	15 840	93,9	1	1,5	47,1
Family childminders	28 520	71,6	2,9	3,7	41,2
Practical nurses	4 180	76,7	10,6	3,8	39,9
Mental handicap nurses	8 900	75,6	5,2	3,9	41,9
Social work assistants	14 290	78,6	1	2,4	46,1
Home care nurses and home care assistants	5 850	87,3	15	4,5	44,9
Personal care workers	186 000	69,0	9,1	3,2	43,4

Resource: National institute of Health and Welfare, Official Statistics of Finland.

1) Excluded health care professionals and other non-social care professionals who are working in social services.

2.3. Financing of Social Services

In addition to arranging social services, also financing of the services is mainly the responsibility of municipalities. The percentage of municipal financing of the costs of social services is generally approx. 65%. An exception to this is the private daycare allowance, in which the municipal share of financing is nearly 90%. The remaining part of financing of the services comes primarily from the state.

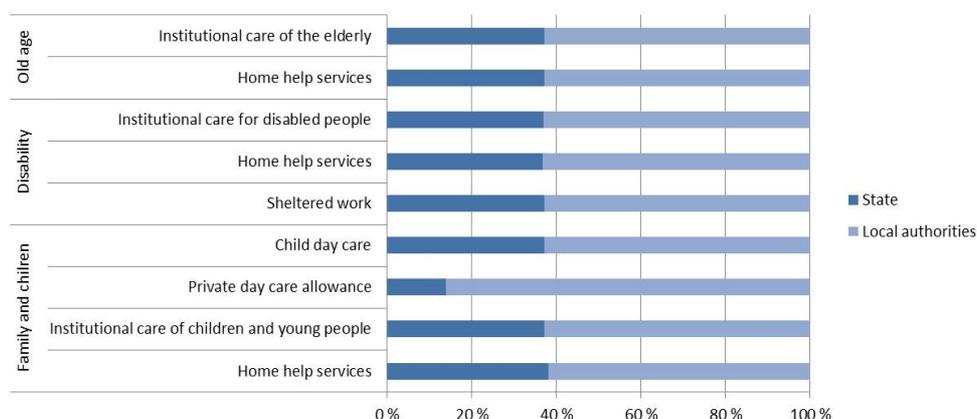


Figure 2. Financing of social expenditure in 2010.

Resource: National institute of Health and Welfare, Official Statistics of Finland, Social Protection Expenditure and Financing 2010.



The high proportion of municipal funding can be partly explained by the fact that in Finland basic services are statutory core activity of the municipalities. Municipalities buy a significant part of social services produced by private service providers to be able to manage this task. In 2010, 73 percent of private service providers sold at least half of their services to municipalities, either on the basis of purchase service contracts or financial obligations. (Aarnio & Sipilä 2007, 17.) Especially in residential nursing care activities and sheltered housing activities for the disabled as well as in residential and professional family care activities for children and young people municipalities buy almost all the services produced by the private service providers. In 2010, 96% of the service providers for the residential nursing care activities and sheltered housing activities for the disabled sold all their services to municipalities and communities of municipalities. In the residential and professional family care activities for children and young people the corresponding figure was 97%. The proportion of municipal purchasing services was lowest in children's day care and home help services. Purchasing of services by households was supported by public funds also with housing allowances, service vouchers and private day care allowances. Only 615 operational units (16%) of private social services were functioning completely without purchase service contracts and financial obligations in 2010. (Yksityiset sosiaalipalvelut 2010, 1-2.)

Municipalities collect part of the financing of social services from the users as customer fees. When determining the fees, both customer's usage of the services and the ability to pay are taken into account. The fee collected from a customer in long-term institutional care includes the upkeep, treatment and services required, for example medicines. The fee cannot exceed 85 per cent of net income (in 2012), or 42.5 per cent of the spouses' total income if one of the spouses is living at home. In any case, the fee can be determined at the most to such amount that the person covered by services is left with at least EUR99 per month. In sheltered housing the resident pays the rent and other housing-related costs, such as water and electricity, by him-/herself directly to the landlord and also takes care of the health and medical care costs by him-/herself. The municipality charges a service fee, which is a compensation for the nursing and care services used by the resident. The amount of this fee is determined by the amount of services written in the service and care plan



and the customer's ability to pay. The day care fee charged by municipalities from the families is EUR21-233 per month. The family's income and number of children affect the amount of the fee. Day care fee is not charged from families with the lowest incomes. (Degree on social and health care customers' fees 912/1992; Sosiaali- ja terveystalvelut 2012a.)

Table 6. Social expenditure and financing in Finland in 2010, € million.

		State	Local authorities	Total	Clients
Old age	Institutional care of the elderly	280	474	754	215
	Home help services	188	319	507	97
Disability	Institutional care for disabled people	64	109	173	16
	Home help services	28	48	76	15
	Sheltered work	61	103	164	5
Family and children	Child daycare	683	1158	1841	303
	Private daycare allowance	13	80	93	0
	Institutional care of children and young people	213	360	573	13
	Home help	8	13	21	4

Resource: National institute of Health and Welfare, Official Statistics of Finland, Social Protection Expenditure and Financing 2010.

3. The Collective Agreements as a Form of Social Dialogue

Social dialogue is either completely or at least partly unfamiliar term for many employers and other operators and it is by no means self-evident what the term refers to. It may be thought to mean for example multi-professional cooperation or to be limited only to negotiations on a certain level, in which case the employer may not recognize his own role in the dialogue.

Social dialogue is first and foremost a term belonging to the language use of the European Union. It is most familiar to the representatives of the employer and worker organizations and state administration involved in cooperation in the European Union level. Despite of term's unfamiliarity, dialogue takes place at different levels. Instead of social dialogue in Finland we talk in different contexts of labour legislation, collective agreements and their application, cooperation at workplaces, actions sustaining working ability, consultation of employees on important issues related to the organization of work, employment contracts or development discussions depending on at what level and what kind of issues are debated.



3.1. The Collective Agreement System

In Finland, social dialogue can most clearly be seen in the collective agreement system. The system creates a strong foundation and a clear structure for the dialogue. In this form the dialogue has a long tradition in our country and commitment has been made to it in national legislation, as well. Centralized solutions relating to incomes policy concerning different sectors have been discussed in Finland from time to time for over thirty years. The negotiation operations of the labour markets are based on a tripartite system. This means cooperation and negotiations between employer organizations, trade unions and the government when agreeing on working conditions. The negotiations aim for a solution which will ensure stable development of the society by agreeing on the general level of wage increases and the framework for collective agreements in different fields. (Julkinen sektori työnantajana 2006, 7.) The government doesn't actually take part in the negotiations, but promises 'common good' for the contracting parties if the wage increases are moderate and support the competitiveness and employment of the country. The common good refers to new employment laws, social policy reforms and tax relieves. (Kauppinen 2008.)

Any Central Organization negotiations are followed by negotiations held between the employers' organizations and the labour organizations at the union level to agree on sector-specific terms of employment relationships. Each sector's specific nature and the specific issues that rise in each sector have to be taken into account with the restrictions that have been agreed on the level of the Central Organization. Sector-specific agreements are used also when a comprehensive incomes policy solution does not arise. Occasionally there have been longer periods when working conditions have been negotiated at a sector-specific union level. Collective agreements may also include items such as local wage increase batches, distribution of which will be agreed on locally. (Julkinen sektori työnantajana 2006, 7-8; Kauppinen 2008.)

The level of organization of employers is high. The municipal agreement system covers all municipalities and communities of municipalities and their employees. 84.7 per cent of employees working in the public sector belong to labour organizations (Kunta-alan työolobarometri 2011, 2). The organizational level of employers and employees in private social services is slightly lower. (Julkinen sektori työnantajana 2006, 7-8; Kauppinen 2008.) Despite the lower organizational level of the private



sector, the collective agreement of the private social sector is also universally binding while a large proportion of employees work in the service of an organized employer (Ahtiainen 2011b, 49–50). A significant part of unorganized employers operate under a company name and employ only themselves or have a few paid employees. Women are more highly organized than men. Of the labour organizations in the social service field, in particular the Union of Health and Social Care Services (Tehy ry) as well as the Finnish Union of Practical Nurses (Super ry) are female-dominated trade unions (Ahtiainen 2011b, 23; STTK:n Toimihenkilöbarometri 2009, 38).

In Finnish labour market model the public sector's free negotiation relationships are almost equivalent to those in the private sector. The possibilities of all employees to participate in and influence at work are guaranteed by law. Legal participation and influencing possibilities are complemented by company-specific cooperation groups based on representative participation that exist especially in larger companies. These structures together with the high level of organization and the steward system guarantee a Finnish worker far greater possibilities to influence in the working life than the workers of many other countries have.

3.2. Collective Agreements of the Social Services Sector

Public social services comply with the Municipal general collective agreements while the private social services comply with the Collective agreement of the private social services sector. These agreements are based on incomes policy frame agreements and they are universally binding. They guarantee a certain minimum security to an employee and the minimum level determined by them must be followed even at those work places where the employers are unorganized.

The central contents of the collective agreements of the social services sector are related to employees' pay, working hours and annual holidays. In the social services sector, the basic salary ranges from approximately 1,500 euros to nearly 4,000 euros. The size of the basic salary is affected by the specific salary part/wage grouping that is compatible with the demands of the job and the training required as well as the experience supplements based on the number of employment years. In addition, the amount of the basic salary is affected by possible evening, night-time, Saturday and Sunday supplements paid for working hours that differ from the regular working hours as well as by possible compensations paid for being for stand-by and for emergencies, personal salary and bonuses. Part-time employee's pay is based on



the number of work hours in relation to the total working time. Trainees and employees who are under 25-years-old may be paid less than the salaries based on the task, especially in the early stages of employment.

Depending on the work task the working time may vary from regular day work to shift work that includes work in the evenings, nights and weekends depending on the nature of the provided services and the needs of the customer. In shift work the duty rotas are made in 3-6 weeks cycles, where the working hours may differ from the maximum daily and weekly working time. However, when determining the working hours the regulations of the labour legislation and collective agreement regarding rest periods and maximum working time constraints must be taken into account. It must also be taken into account that the average working hours according to duty rota will be stabilized over the period. Work exceeding the regular working hours, weekly working hours or work according to duty rota is overtime, during which an employee will receive 50-100 percent higher rate of pay.

Annual holiday benefits are determined by the Annual Holidays Act (162/2005) and the relevant collective agreement. Vacation accumulation is tied to the amount of full holiday credit months and work experience. The longer a person has been in the working life, the longer are his/her holidays. In addition, if a person has been in the working life for a long period of time, she/he might be entitled to extra vacation days.

In addition to the above-discussed issues, the collective agreements contain regulations regarding salary groups and other criteria for payment of salaries, paid and unpaid leaves, family leaves and taking week holidays into account in the working hours. Collective agreements also include instructions for how long an employee receives sick pay and how the length of employment affects this time as well as in what other circumstances and how long an employee can have a paid leave. In addition, collective agreements include local agreements on employment terms and regulations regarding the activities of shop stewards in the workplace. The appendix of the municipal collective agreement deals separately with for example day care personnel's and family childminders salaries and working hours.

In accordance with collective agreements, organized employees are entitled to choose among themselves a shop steward and a deputy shop steward who act in accordance with their authorization with issues relating to the application of the collective agreement and other employment relationship-related issues. In the



employment relationship with the employer the shop steward is in the same position as the other employees. The trust status doesn't place him/her in a special position in relation to the employer, but it must not compromise his/her position in the workplace, either. The shop steward's fee is tied to the number of employees being represented.

In addition to collective agreements, in cooperation of labour market organizations additional agreements and recommendations for the collective agreements have been prepared regarding for instance development of productive activities, healthy and productive working hours, cooperation in work safety, work-related stress and workplace harassment and violence. In addition, individual employees' unions have published guides which handle the personnel's position in municipal and service structure reforms, outsourcing of services, local agreements, well-being at work and work safety cooperation, inappropriate treatment, harassment and bullying at the workplace, emergency duties in social services and working in different sectors of social services (intellectual disability sector, practical nurses, elderly work and early childhood education). Guides and contracts pay attention not only to the application of collective agreements but also to well-being at work as well as the implementation of relating international framework agreements in Finland.

3.3. Local Agreements for Employment Terms

Local agreements for employment terms refer to making a collective agreement at the beginning of an employment relationship as well as the negotiation of work shifts, annual holidays and other employment terms during the employment relationship. However, it does not only refer to the application of collective agreements when agreeing on employment terms, but also to making local agreements that differ from the sector's collective agreement and adding to the regulations described in it.

In recent years, local room for negotiation has been added so that increasingly often parts of labour market issues can be agreed on locally (Julkinen sektori työnantajana 2006, 8). Local agreements must, however, always comply with the minimum limits regarding for example the minimum wage and maximum working hours that are prescribed in legislation and collective agreements, and the working contract and employers specific regulations cannot be less than the regulations of collective agreements and legislation. In practice, local agreements refer to negotiations at the workplace level between the employer and the shop steward representing the employees. If there is no shop steward at the workplace, either all the employees,



one employee representing the rest or an individual employee in his own case can take part in the negotiations.

Top locally agreed issues are the working hours and compensations for irregular working hours. In the public sector, for example the balancing of working hours during at the most one year has been agreed on locally. Also the private social services sector has made local agreements regarding long term balancing of working hours in addition to which the targets of local agreements have been for example the compensations for weekend work, excursion days and phone duty. Usage of the working hours bank and the flexible determination of working hours while paying attention to local needs have become some of the issues negotiated at the local level both in the public and in the private sector. Both employers and employees are generally satisfied with the local agreements regarding working hours. In addition to working hours, issues agreed on locally are for example occupational health, supervision of work and consultation, as well as trainings, exercise vouchers, massage services, excursions, trips and cultural events paid by the employer, in other words different issues relating to well-being at work, work health and skills development as well as recreation of the employees. (Edunvalvonnan arkea... 2009, 48, 52–53.)

Salary is not negotiated locally as often as the working hours (Edunvalvonnan arkea... 2009, 53). In recent years, however, locally distributed salary increase portions have been included in sector-specific collective agreements in addition to the general increases. Sharing a local salary increase portion may be based on perceived flaws in salaries, the nature of work tasks or personal performance and skills of an employee. The aim of allocating the increases is a consensus between the employer and the employees. If a consensus cannot be found, the employer decides the allocation of the local portion. However, the employer must always inform the employee union of how and based on what criteria the local portion has been distributed. In order to be legally valid, an agreement that deals with locally agreed issues must be in writing and it has to reflect who and what part of the collective agreement it covers and what has been agreed on.

Cooperation at workplaces is usually very consensus-minded. Employers think that the collective agreement is reasonably clear and easy to comply with. Issues are discussed at workplaces and common solutions are sought for possible problems.



(Edunvalvonnin arkea... 2009, 45–46, 53.) However, it's not always possible to avoid employment relationship disagreements and interpretations regarding employment terms can differ between different parties. Operational unit specific practices that have been formed during their history bring their own challenges to local agreements of employment terms, since they don't necessarily reflect the current service needs and valid regulations, agreements and guidelines.

Disputes relating to employment terms are solved, when possible, by negotiating at the workplace level and relying on employment relationship guidance provided by the employers' union, if necessary. Some employers are in regular contact with the employers' union with issues regarding the interpretation and application of collective agreements. These types of contacts are common in particular when a new collective agreement is introduced. Also the local salary increase portions distributed in addition to general increases raise questions. (Edunvalvonnin arkea... 2009, 45–46, 53.) The main focus in the guidance services of the employer union in social services is in consulting taking place by phone and e-mail as well as giving professional assistance regarding the interpretation of legislation, collective agreements and work contracts, starting and terminating an employment relationship, annual leaves, working hours and other issues relating to employment relationships.

Employees examine the web-pages of employees' unions and read the unions' papers when they need information regarding employment relationships and terms (Edunvalvonnin arkea... 2009, 46, 52). They can contact their own union or its district office with questions relating to employment term agreements and interpretation of collective agreements. A contact can deal with questions relating to making a contract of employment, salaries, working hours, annual holidays and other questions relating to employment relationship and terms. If problems occur, the employee union's representative will contact the employer. Occasionally problems can be solved quite quickly this way. (Aarnio & Sipilä 2007, 27–28, 37.)

Social dialogue of a local level is made more difficult by unorganized employers and employees as well as lack of know-how related to social dialogue. Many unorganized employers are sole proprietors employing just themselves or small companies with only a few employees. Founding a company, producing services, marketing and other business-related issues require so much from them that no time and energy remains for committing themselves in the obligations of an employer. It is not,



however, only a problem related to the lack of time, but also the know-how of the employers has deficiencies. Not all employers are familiar with the general validity of collective agreements and they don't know how to interpret them. In the worst case, the employer may end up in financial responsibilities and problems because of claims from employees.

Finnish employees respect Central Organizations and see them as key guarantors of the well-being of employees. Security is the main reason why employee wants to belong to a union. The concept of security includes unemployment benefits and counselling regarding employment relationships and terms. It is "safer" to negotiate issues in the workplace when you have the backing of a strong union. The most common motives for a membership in an employees' union are earnings-related unemployment, salary and employment security, effectiveness in protecting the members' interests created by large membership and in general the security that a membership brings in a changing world. (Aarnio & Sipilä 2007, 30; Edunvalvonnan arkea... 2009, 50.)

However, not all employees belong to a employees' union. Those who don't belong to a union have been able to secure their unemployment by joining an unemployment fund independent from the unions of the sector (Ahtiainen 2011, 49–51). They don't necessarily think that a membership in a union is necessary in their case while everything is in order at the workplace. On the other hand, the reason for not belonging to a union may be the lack of information regarding lobbying or thinking that the unions don't offer help when needed. Small companies don't usually have shop stewards so the trade union issues remain largely unsolved unless the employee has joined a union earlier either through a student membership or while working in the public sector. (Aarnio & Sipilä 2007, 39–41; Edunvalvonnan arkea... 2009, 50, 53.)

Employees' knowledge of the collective agreement may be inadequate even if they belong to an employees' union. The reasons for this are employees being members in different unions at the same workplace and the lack of shop stewards especially in small workplaces, so the employment relationships and issues relating to employment terms are not discussed that easily in the workplaces. (Aarnio & Sipilä 2007, 39–41; Edunvalvonnan arkea... 2009, 50, 53.)



4. Social Dialogue in Social Services

Although public and private social services do not differ significantly from each other, based on field studies carried out in the sector they have their own features. Therefore they are briefly examined here separately. Special attention is paid on what issues work well in the public and the private sector and where there is room for improvement. At the end, the general realization of social dialogue is discussed in its own subchapter. At the same time the issues deals with reflecting what are the important issues in social dialogue at different levels, what does successful social dialogue require and how the dialogue could be developed.

4.1. Public Sector as an Employer

The public sector is generally regarded as a reliable and stable employer. It has a good service relationship security and in the whole competitive terms of service relationship. Guidelines and rules relating to the employees are clear and effectively controlled. Pay systems based on job demands and personal performance and job evaluation systems have become more common. The size of the salary is still mainly influenced by the number of employment years, but nowadays also personal performance accounts. Salary is considered fair but not yet competitive, encouraging and rewarding the right things. Gender equality actualizes in decision making and in the working life. (Kunta-alan työolobarometri 2011, 1, 3-4, 7-9.) However, the placement of men and women in different types of work tasks and different ways of working can be seen in the salary differences between the genders. (Julkinen sektori työnantajana 2006, 2, 13–14.)

Development discussions are much more common in the public sector than in the private sector and they have become increasingly common in the social services sector. Maintaining and developing know-how and expertise as well as balancing work and family life are viewed positively. Opportunities to participate in employer-funded training are good. Also participating in the development of workplace operations and the possibilities to influence work tasks, work pace and sharing of tasks have improved over the last couple of years. Activities maintaining working abilities are organized quite commonly at workplaces. (Kunta-alan työolobarometri 2011, 7, 15–18.)



The experience of employees regarding the sufficiency of personnel has improved in the public sector in recent years. Both permanent and temporary new employees have been hired at workplaces and there has been positive development in the organization of work tasks. Also the employees' work relationship security has been improved by changing fixed-term contracts to indefinite contracts. Fixed-term contracts are still common, especially among employees under the age of 35 (STTK:n toimihenkilöbarometri 2011, 38). The fact that unequal treatment of fixed-term and young employees has increased in the last couple of years hasn't made their situation easier. (Kunta-alan työolobarometri 2011, 4, 12.) Unequal treatment refers for example to fewer possibilities for substitutes to receive further training. However, some employees want to do fixed-term work or casual jobs for many employers.

Physical hardness of work has reduced. The work is, however, often perceived as mentally hard. Workplace bullying and emotional abuse, being bullied by customers and co-workers and conflicts between superiors and subordinates have become more common in the social sector. Openness and confidentiality between the relations of employees and the management as well as the security of employees with regard to maintaining their jobs have deteriorated when compared to the previous year. Tasks and their objectives are not discussed together as often as in the previous year. Also encouraging employees to try new things and constructive attitude of the superiors towards suggestions for changes have reduced. Work performance requirements and the need to work overtime have increased. Much of the overtime is compensated with free time. (Kunta-alan työolobarometri 2011, 3, 10–14.)

4.2. Private Sector as an Employer

The private social services sector is a sector that is situated in the middle ground between the public and the private sector and whose operating environment is constantly moving and is subject to political interests (Edunvalvonnan arkea ... 2009, 39). The operating environment and practices of social and health care sectors have changed dramatically in recent years. The share of private services of the service provision has increased and the emphasis has shifted increasingly towards non-institutional services. Private services are at the moment a significant part of the overall system of social services and, as the service needs are increasing, the



operations of the companies and organizations in the sector are essential from the viewpoint of the availability of services. The municipalities, who are responsible for organizing the services, decide if they produce the services themselves or buy them from elsewhere and from whom they buy the services and how long the purchase service agreements are. In addition, service users can increasingly buy the required service from the provider they want with a service voucher. (Aarnio & Sipilä 2007, 14–19.)

Today, over 80 per cent of the bidding for service purchases consists of so called general agreement tenders, in which many service providers are chosen. Bidding usually concerns producing services for new customers. There are fixed-term employment relationships in the social service sector to some extent, as in all other sectors. Some of the employees see fixed-term employment as a problem (Edunvalvonnan arkea ... 2009, 41). In turn, some of the employees don't want to commit to one job, but instead are doing so called casual jobs for several employers at the same time. In practice, there is no unemployment in the sector when taking into account that every field has a few per cent of unemployment related to regional demand and supply of workforce. Updating the training of the sector is done in accordance with the recommendations given by the ministry and quantitatively the updating training of the sector is broader than in many other sectors.

The main problems in the private sector are the availability of personnel and the employees' well-being. The availability of workforce is made difficult among other things by the location of the workplace in a small locality and high professional requirements that limit the number of potential applicants. The fact that the vacancies are not filled and substitutes are not found as well as the constantly changing substitutes is straining the employees who feel a great responsibility in their work and for their clients also outside working hours. Straining is also caused by questions relating to work safety, especially in parts of the work tasks of social services. (Edunvalvonnan arkea ... 2009, 41–44.)

Employees' mutual cooperation in private social services is mostly informal. For example employment terms, salaries or professional organization don't often arise as a subject in the conversations between employees. Part of the reason for this is that the employees are unorganized or the employees working in the same workplace belong to several employees' unions, but also being content in their work as well as



the atmosphere and practices of the workplace. Employees appreciate the good atmosphere of small workplaces and the open discussion between the employer and the employees, and consider it to be relevant in terms of the fluency of work tasks. (Aarnio & Sipilä 2007, 29–30; Edunvalvonnin arkea ... 2009, 40, 44, 50–51.)

A flat hierarchy facilitates the agreement on issues in the private sector. Employees at small workplaces often play a central role and are able to remarkably influence the content of their work and the employment terms. The work is diverse and independent. For example working hours and holidays are agreed on in work teams often independently and according to the employees' wishes. Employers intervene in the placement of holidays only if it's necessary. Employees, who have previously worked in the public sector, feel that the flexibility of the work and their own possibilities to influence are better in the private social services sector than in the public sector. (Aarnio & Sipilä 2007, 30–31; Edunvalvonnin arkea ... 2009, 42–43.)

Organizing private services is subject to license. The State Provincial Offices issue licenses to new service providers. When issuing licenses, attention is paid among other things to the personnel's training and sufficiency. The State Provincial Office also monitors the activities of private service providers. According to the Act on Private Social Services (922/2011) that came into force in 2011, private social service providers must compose a plan for self-monitoring to secure the quality of operations. Although the plan is aimed, above all, at the quality of services received by customers, it also has an impact on the working conditions. Information about personnel, premises, equipment and materials, among other things, is written down in the plan. In addition, the plan can take into account what kind of know-how is needed in the company in order to reach the set goals. Self-monitoring plans must be completed by September 2012. Information on their implementation is available at the earliest in 2013.

4.3. Important Issues in Social Dialogue

Social dialogue is a way to handle issues that are important for employers and employees on different levels of operation. When successful, social dialogue prevents conflicts and misunderstandings, helps to understand common goals and improves efficiency and the quality of working life.



Based on this report, an essential condition for the realization of social dialogue is organization. At the national and international level, social dialogue is representative and actualizes through the organizations of the employers and employees. Also at the local level, most often it is the organized employers and employees who have the know-how necessary for dialogue.

Organization is closely related to another important issue for social dialogue: security. Security is an essential reason of employees for belonging to trade unions. Motives for membership are unemployment, salary and employment security as well as the general security that the membership brings in the changing world. Universally binding collective agreements guarantee a certain minimum security also to those employees whose employers are not organized. On the other hand, successful social dialogue increases the confidence of employees towards their employers and thus also strengthens the feeling of security.

Organization is also related to reliability as well as clear rules and guidelines. Mutual agreements and guidelines provide a clear framework for how to act in different situations. On the other hand both the employers and employees' representatives emphasize flexibility and think that the possibility to increase local agreements is a good thing. Local agreements allow the observation of local special characteristics and needs as well as the individual needs of the employees and improve the availability and motivation of the workforce.

Successful social dialogue necessitates participation from the employees. Participation is based on the employees' possibilities to influence their work, their working conditions and the working community. Bases for successful dialogue are created by the support of the superior, flow of information, listening to the personnel and respecting one's own work and the work of others. A good work atmosphere and open discussion provide courage to intervene in possible workplace problems and to seek solutions for them together. The experiences of success come from small issues. With mutual discussions, the employer and employee find solutions for better organization of work tasks and labour resources. Disputes regarding employment relationships and employment terms can be agreed on in negotiations between the employer, the employee and the employees' organization.

Effective social dialogue increases the attractiveness of the workplace and strengthens its image. People want to study in the sector and they remain at work.



Keeping personnel employed for a long time is beneficial for the employer. Both the employer and the employees win. Orientation and other things consume resources if employees change constantly. Lack of dialogue may in turn appear like a lack of common objectives, inflexibility, and under-utilization of the employees' skills, which reduce the employees' well-being and increase fatigue, sick leaves and resignations. Effective dialogue requires that both the employer and the employee have the skills for social dialogue, for example through the shop steward system.

Social dialogue isn't only about agreeing on the employment terms and application of the made agreements. It's always also about the development of the employment terms and working conditions. Development work is done between universally binding collective agreements in the cooperation groups of the organizations of the employers and employees. Trade unions could have a stronger role than they nowadays have as a positive network and development partner in the workplaces also at local level.

Most of the trade unions in the Finnish social services sector are involved in the social discussion at the European Union level. Municipal employers are members of CEEP (The European Centre of Employers and Enterprises providing Public services) and the employees' organizations of the sector (The Trade Union for the Public and Welfare Sectors *JHL*, The Union of Health and Social Care Professionals *Tehy ry*, the Finnish Union of Practical Nurses *Super ry*) are members of EPSU (the European Federation of Public Service Unions). **FIPSU ry** (Finnish Public Services Unions' EU Working Party **Fipsu**) is responsible for lobbying for the trade unions of the Finnish public sector in the European Union. It is no longer enough to participate in the dialogue only nationally. Operating for securing and developing the working life and services requires international cooperation for example in questions relating to well-being at work, occupational health, and occupational safety. Because of the differences in the national systems, the consensus is more difficult in questions relating to the employment terms and service systems.

5. Conclusions

Social dialogue is not a well-known term in the Finnish social services sector. However, this doesn't mean that social dialogue doesn't take place in the sector. Most clearly social dialogue appears in the collective agreement system and



negotiations held at different levels regarding employment terms and working conditions.

The Finnish social service system is based on the Nordic welfare state model. Organization of services as a responsibility of the municipalities is set already in legislation. The share of public services in providing services is great. However, the share of private services in service providing has increased over the past 20 years or so and is already $\frac{1}{3}$. The importance of municipalities as service providers is, however, increased by the fact that the municipalities buy most of the services produced by private service providers. Public and private services in Finland do not differ significantly from each other. Non-institutional services are a priority in social services offered to all target groups.

The basis for the social dialogue is created by the collective agreements of the public and private social services sector, and these agreements are universally binding while most of the employees of the sector work in the service of an organized employer. Universally binding collective agreements guarantee the employees a certain minimum security and provide a clear framework for the discussion held in the sector. The collective agreements of public and private social services do not differ significantly from each other. The strength of the national system is the obligation for equality. Finland does not have a two-level labour market with different terms of employment.

Dialogue is held at a national and a local level. Organization, security, reliability, flexibility and participation characterize the dialogue. Collective agreements provide a framework, but labour market issues can be increasingly agreed on flexibly at the local level by taking into account the local needs. Developing the working life and services requires international cooperation for example in questions regarding well-being and security at work. Due to the differences in the national systems, consensus is more difficult to find in questions regarding employment terms and service systems. Social services have a specific social interest. Services cannot be realized only with the labour market's buying/selling of workforce dimension. Arranging services must be included in the national decision-making power also in the future.



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1 anonymous informant; written information



Attachments

Appendix 1. Personnel in Municipal social services by activity in 2010.

	Personnel
Institutional care of the elderly	21 620
• Residential nursing care activities for the elderly	13 770
• Sheltered housing activities for the elderly	7 850
Institutional care for disabled people	5 660
• Residential nursing and care activities for mental retardation	5 620
• Residential nursing care activities for the disabled (excl. residential nursing care activities for mental retardation.)	10
• Sheltered housing activities for the disabled (excl. sheltered housing activities for mental retardation)	30
Residential care activities for families and children	2 680
• Residential and professional family care activities for children and young people	2600
• Mother and child homes and shelters	80
Other residential care activities	1 790
• Residential care activities for mental health	
• Institutions for substance abusers	320
• Residential care activities for substance abuse	60
• Other institutions and housing services	1 410
Residential care activities	31 750
Social work activities without accommodation for the elderly and disabled	20 900
• Home help services for the elderly and disabled	16 000
• Day activity services for the elderly	1 000
• Day activity and sheltered work services for the disabled	2 390
• Other services without accommodation for the elderly and disabled	1 540
Child daycare	52 300
• Child daycare homes	49 700
• Other child daycare	2 580
Other social work activities without accommodation n.e.c.	10 800
• Home help services for others than the elderly and disabled	20
• Day activity and sheltered work services for others than the elderly and disabled	1 330
• Outpatient rehabilitation for intoxicant abusers	740
• Other social work activities without accommodation n.e.c.	8 700
Social work activities without accommodation	84 000
Headcount	115 750
• men	6 110
• women	109 600
Average age	44,7
• men	42,5
• women	44,8

Resource: National Institute for Health and Welfare, Official Statistic of Finland, Personnel in the Municipal social welfare and healthcare services 2010.



Appendix 2. Private social service providers by activity in 2010.

	Non-profit organizations	Business enterprises	Others	Total
Institutional care of the elderly	357	500	0	857
• Residential nursing care activities for the elderly	25	20	-	45
• Sheltered housing activities for the elderly	332	480	-	812
Institutional care for disabled people	133	202	0	336
• Residential nursing and care activities for mental retardation	111	148	-	260
• Residential nursing care activities for the disabled (excl. residential nursing care activities for mental retardation.)	1	1	-	2
• Sheltered housing activities for the disabled (excl. sheltered housing activities for mental retardation)	21	53	-	74
Residential care activities for families and children	80	561	1	642
• Residential and professional family care activities for children and young people	53	560	1	614
• Mother and child homes and shelters	27	1	-	28
Other residential care activities	239	396	0	635
• Residential care activities for mental health	72	300	-	372
• Institutions for substance abusers	28	10	-	38
• Residential care activities for substance abuse	72	16	-	88
• Other institutions and housing services	67	70	-	137
Residential care activities	809	1660	1	2 470
Social work activities without accommodation for the elderly and disabled	164	640	1	805
• Home help services for the elderly and disabled	85	609	-	694
• Day activity services for the elderly	18	6	-	24
• Day activity and sheltered work services for the disabled	47	15	1	63
• Other services without accommodation for the elderly and disabled	14	10	-	24
Child daycare	352	346	12	710
• Child daycare in homes	302	313	-	615
• Other forms of child daycare	50	33	12	95
Other social work activities without accommodation n.e.c.	184	178	3	365
• Home help services for others than the elderly and disabled	14	49	-	63
• Day activity and sheltered work services for others than the elderly and disabled	63	8	-	71
• Outpatient rehabilitation for intoxicant abusers	40	5	-	45
• Uncategorized social services, outpatient services	67	116	3	186
Other social work activities without accommodation n.e.c.	700	1164	16	1880
Total	1507	2824	17	4 350
Personnel in the social services	19 289	22 299	99	41 687
• Full-time	15 822	18 190	68	34 080
• Part-time	2 376	3 766	29	6 171
• Employed	1 091	343	2	1 436

Resource: National Institute for Health and Welfare, Official Statistic of Finland, **Private social service 2010**



Appendix 3. Labor legislation

Essential content of the Act	
Employment Contracts Act (55/2001)	<p>The Employment Contracts Act applies to contractual relations, in which the employee agrees to work under the employer's management and supervision in return for a salary or compensation. The law applies regardless of the quality of work and the form of employment and agreement. An employment contract is valid indefinitely unless it has, for a justified reason, been made for a specific fixed term.</p> <ul style="list-style-type: none"> • The employer must treat employees equally unless there is an acceptable reason to do otherwise. • When making an employment contract, the employer must provide the employee with an account of the principal terms of employment (the date of commencement of the employment, the duration of a fixed-term employment contract and the justification for specifying a fixed term, the employees' main tasks, the collective agreement applicable to the work, the grounds for the determination of pay and the pay period, the regular working hours, the manner of determining annual holiday, the period of notice). • The employer shall observe at least the provisions of the generally applicable collective agreement on the terms and working conditions of the employment relationship. Any term of an employment agreement that is in conflict with the generally applicable collective agreement is void, and the equivalent provision in the generally applicable collective agreement shall be observed instead. • The employer must ensure employees' safety at work. Also the employees have the responsibility to ensure both their own and other employees' safety.
Working Hours Act (605/1996)	<p>According to the Working Hours Act, the time spent at work and the time the employee is required to be present at the place of work at the employer's disposal are considered working hours.</p> <ul style="list-style-type: none"> • Regular working hours shall not exceed 8 hours a day or 40 hours a week. The regular weekly working hours can also be arranged in such a way that the average is 40 hours over a period of no more than 52 weeks. Intermittent working hours are no more than 120 hours / three weeks or no more than 80 hours / two weeks or no more than 240 hours / during two successive three-week periods or three consecutive two-week periods. However, intermittent working hours shall not exceed 128 hours during either of the three-week periods or 88 hours during any of the two-week periods. Working hours may include working at night or on Saturdays and Sundays, if it is justified considering the nature of the work. • An employer and an employee can agree that the employee is available to be called in to work when necessary. If stand-by is necessary due to the nature of the work, the employee cannot refuse to do it. Stand-by time must not excessively disrupt the employee's free time and the employee is entitled to obtain at least 50% compensation either in wages or free time. • Overtime refers to work carried out in addition to the regular working hours. The maximum amount of overtime during a four-month period is 138 hours, though 250 hours must not be exceeded during a calendar year. The payment for additional work exceeding the daily, weekly or intermittent working hours shall be the regular wage plus 50-100 per cent. Wages payable for overtime can be either partly or completely converted into corresponding free time. • If the daily working hours exceed six hours the employee must be granted a rest period of at least half an hour, during which the employee is free to leave the workplace. The uninterrupted rest period for 24 hours is at least 11 hours and 9 hours in case of intermittent work. The employee must have at least 35 hours of uninterrupted free time each week, preferably around a Sunday.



Appendix 3. Labor legislation (continues)

Essential content of the Act	
Annual Holidays Act (162/2005)	<p>Unless otherwise determined by the collective agreement of the sector, the Annual Holidays Act applies to all employees in an employment relationship or civil service relationship. The Act applies to employment relationships both in the private and the public sector.</p> <ul style="list-style-type: none"> • The holiday credit year means the period from 1 April to 31 March. An employee is entitled to two and a half weekdays of holiday for each full holiday credit month. However, the entitlement is two weekdays of holiday for each full holiday credit month if, by the end of the holiday credit year, the duration of the employment relationship has been less than one year. • An employee has the right to receive at least his/her regular or average pay for the time of his/her annual holiday. In addition, an employee is entitled to holiday compensation. If the employment relationship has lasted less than a year by the end of the holiday credit year, the employee is entitled to holiday compensation of 0.9 per cent of the wages paid during the holiday credit year, and 11.5 per cent if the employment relationship has lasted for at least one year
Act on Employer and Employee Cooperation in Municipalities (449/2007) & Act on Cooperation within Undertakings (334/2007)	<p>The aims of the Acts on Cooperation is to promote the understanding between the parties of the workplace and the interactive activities between the personnel of a company as well as to increase the possibilities of employees to influence the decision-making relating to their work and to take part in improving work conditions.</p> <ul style="list-style-type: none"> • The representatives of the personnel in cooperation can be a shop steward, a work safety representative or other representative appointed by the personnel. • Cooperation deals with changes in the organization of work and arrangement of services that significantly affect the position of the personnel. • Representatives of the personnel have the right to receive information about the financial situation of the company, wages, employment relationships and the principles for use of external labor. In addition, the cooperation negotiation must deal with the principles and practices applied in recruitment, plans regarding personnel and training objectives considering the composition, number and development estimations of the personnel. Cooperation negotiation should also deal with the principles for the use of different contractual forms, assessment of employees' professional skills and changes in skill requirements. • If an employer is considering to serve a notice of termination or a lay-off for over 90 days or the employer plans to reduce a contract of employment into a part-time contract for over ten employees, s/he is to provide the representatives of the personnel with the information regarding the reasons for the intended measures as well as an estimation of the number of personnel affected, the principles used to determine which personnel is affected and the timetable before starting the cooperation negotiations. • An issue regarding an individual employee shall be dealt with between him/her and the employer.



Appendix 4. Collective agreements of the social services sector.

	Municipal general collective agreement	Collective agreement of the private social services sector
Salary	Minimum salary 1,502.62 €/month. Salary system is based on task-specific salary, personal increment, experience-based increment and performance-related pay. In addition, an employee may be paid single rewards or other rewards, increments and compensations specifically mentioned in the collective agreement.	Basic salary is 1,574.99 – 3,999.65 €/month depending on the salary group. Salary group is based on the training required by the job and the demands of the job. Experience-based increments increase the basic salary by taking into account the working years. Salary is also affected by the compensations paid for overtime, Saturdays, Sundays, evening and night work and emergencies. In October 2011 the average earnings of the sector were 2,428 €/month.
Part-time work	Part-time employees' salary is based on the amount of working hours in relation to the total working time.	Part-time employees' salary is based on the amount of working hours in relation to the total working time.
Trainees etc.	Trainees are paid the minimum salary when the employment relationship has lasted 3 months.	Trainees are paid at least 90% of the guideline salary of the task. An agreement can be made with a summer worker under the age of 25 regarding a summer job salary that is at least 75% of the guideline salary of the task.
Working hours	Regular working time cannot exceed 9 hours/day and 38 ¼ hours/ week, office working time cannot exceed 9 hours/day and 36 ¼ hours/week. Regular working time is 37 hours in tasks specifically mentioned in the collective agreement.	Regular working time is 8 hours /day and 38 1/3 hours/week. Daily working time can be prolonged with one hour, if agreed on beforehand. This requires that the time adjusts during the balancing period with the maximum weekly working time.
Shift working hours	Shift working time is applied in tasks specifically mentioned in the collective agreement where the employer has the need for night-time work or work shifts that last over 9 hours. In three-week working periods the working time cannot exceed 114 ¾ hours and in six-week periods 229 ½ hours. Daily or weekly working time is not determined.	In shift work the working time is determined in 3-6 weeks cycles. Working time in 3-shift work cannot exceed 10 hours a day, in night shifts 12 hours a day and 38 1/3 a week. Weekly working time can also be determined so that during the 3-6 weeks balancing period the working time is on average as mentioned before. Working time cannot exceed 48 hours during any week of the balancing period, and when applying the six-week balancing period the working time cannot exceed 126 hours/3 weeks.
Overtime	Overtime means work that exceeds both the regular working time and the overtime limits.	Overtime means work that exceeds both the regular working time and the overtime limits. Overtime salary is the hourly wages increased by 50-100%.
Annual holiday	2-3 days/ full holiday credit month depending on work experience + possible extra vacation days. 5 weekdays are taken into account when calculating used vacation days.	2-3 days/full holiday credit month depending on work experience entitling for service compliments. 6 weekdays are taken into account when calculating used vacation days.

