

# How to post drivers to Finland

– new rules and responsibilities  
for transport companies

Webinar 22.3.2023 at 13–13.45 Finnish time  
[www.tyosuojelu.fi/live23](http://www.tyosuojelu.fi/live23)



Regional State  
Administrative Agency  
Occupational Safety and Health



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# Practical information

- The webinar will be recorded.
- Presentation and in a few days the webinar recording: [www.tyosuojelu.fi/live23](http://www.tyosuojelu.fi/live23)
- Chat is open during the webinar



# We guide and supervise

- We are the occupational safety and health (OSH) authorities in Finland.
- We give guidance to employers, employees and other customers.
- We supervise employers and inspect workplaces. This includes also posting companies and posted workers/drivers.



Photo: Anu Pynnönen



# Topics of the webinar

- Posting: Definition & Legislation
- Notification of posted drivers
- Roadside inspections
- Requested information for an inspection
- Wages in Finland
- How to find information



What is posting?

# Posting in general

A posted worker is a person who works

- normally in a State other than Finland
- for an employer established and significantly active in that other State, i.e.
- the company posting the worker
- to Finland on a temporary basis for a limited period,
- based on a contract of employment.

This applies to work that is

- subcontracted
- as an intra-corporate transfer
- or temporary agency work.

The Finnish  
**Act on  
Posting  
Workers**

# Am I a posted driver?

The Act on Posting Workers also applies to **subcontracted transport services in road transport**

- Companies have agreed on a cross-border transport service.
- A driver drives cargo or persons for a limited period of time in a country other than the one where the driver's employer is established.

This applies to work that is

- **Cabotage transports**

Transport ordered by another company and temporarily carried out in Finnish territory by a carrier established in another Member State.

- **Cross-trade operation**

Transport between two Member States or between a Member State and a third country when none of the aforementioned is the country where the carrier is established.

# Applicable legislation – employment matters & posting

- Act on Posting workers (447/2016)
  - Pay (wages and mandatory pay items)
- Employment Contracts Act (55/2001)
  - Terms of employment/work contract
- Working Hours Act (872/2019)
  - Working hours, regular working time, over time work, rest periods
- Occupational Safety and Health Act (738/2002)
  - Documentation of working hours (Timesheet)





# Notification of posted drivers

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The notification has to be made in the EU's [Road Transport Posting Declaration portal](#)



## The notification shall include:

- 1) operating permit number issued to the carrier
- 2) contact details of the carrier's competent person-in-charge or other contact person of the carrier in the posting country for responding to official enquiries and receiving documents or notifications
- 3) personal data needed to identify the driver, personal identity code, address of the place of residence and driving licence number
- 4) start date of the driver's employment contract and the legislation applicable to the contract
- 5) planned start and end date of the posting
- 6) information on the registration numbers of the motor vehicles used
- 7) information on whether the service is the transport of goods or passengers, international transport or cabotage

## More about the notification

- If the given **information changes**, a requirement for the work to continue is that the carrier submits a supplementary notification in the EU portal as soon as such changes happen.
- Notice: The posting notification is submitted [directly to the occupational safety and health authority](#) when a driver is posted to Finland in the case of an **intra-group transfers** or **temporary agency work**.



# Documents required for roadside inspections

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**The driver shall present the documents and accounts at a roadside inspection if the supervisory authority so requests**



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## Required documentation during transport

Employer of the driver shall ensure availability of the following documents and information **in paper or electronic form** during the transport for the purpose of transport control:

- 1) a copy of the notification of posting
- 2) documentation of the transport service to be discharged in Finland
- 3) tachograph information



After the posting

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**The employer shall provide the information through the**

**Road Transport Posting Declaration portal**



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## Required information for an OSH inspection

The employer shall provide the following information at the request of the OSH authority after the transport has ended:

- 1) employees' worktimes timesheets for work done in Finland
- 2) proof of payment of wages and payslips
- 3) details of the applicable terms and conditions of employment
- 4) the transport service information (documentation of the transport service to be discharged in Finland)
- 5) tachograph information

# Provision of information to the OSH authority

- The OSH authority can ask for documents
- The request is done in the same portal as the road transport notifications
- Documents have to be delivered by the portal within 8 weeks

## Requested documents

- Consignment notes
- Tachograph records
- Payslips
- Employment contract
- Timesheet
- Proof of payment



# Inspections and consequences

- If information is requested we will write a report of the inspection.
- We can give written advices or start a process of ordering a **negligence fee in these cases:**
  - The carrier neglects its notification obligation
  - The driver doesn't have the documents to show during the roadside check
  - The carrier doesn't give the required information for an OSH inspection
- In the case of a possible fee, the employer is given the opportunity to give more information in a written hearing.
- The decision are made by the OSH authorities
- Possible to appeal the Administrative Court to change the decission



# Wages and Salary

# Wages and salary

The salary to be paid to the posted worker must cover the **mandatory salary items** in accordance with the collective agreement:

- An hourly or monthly wage or the task-based payment component
- A personal salary component
- Job-specific salary component
- Any separate pay components related to working hours
  - Evening and night work
  - Toxic substances and explosives
- Employer should also pay additional bonuses for overtime work and Sunday work

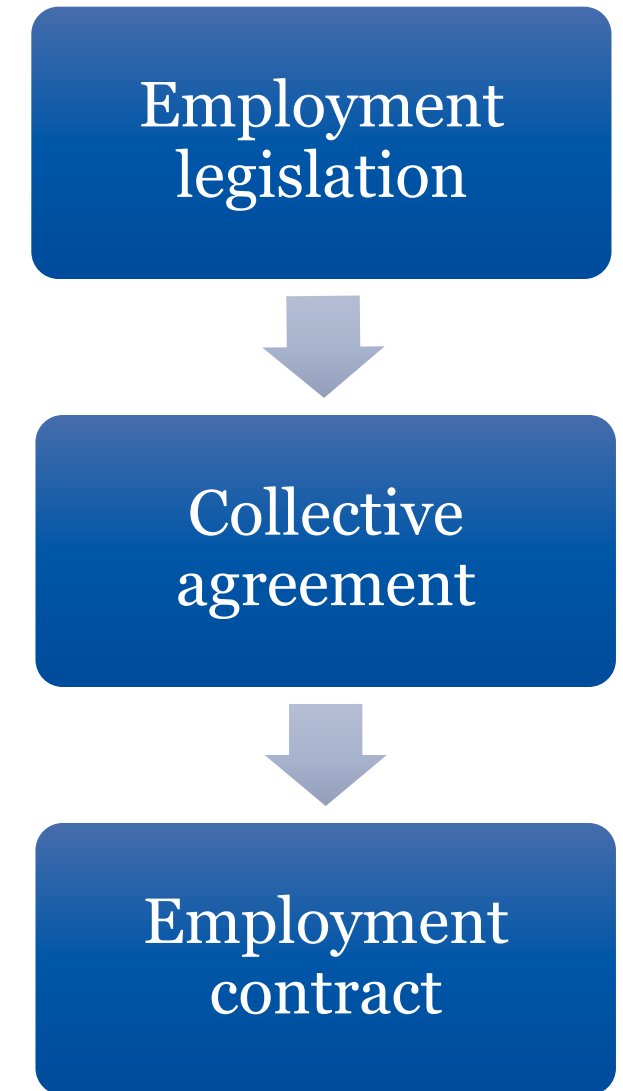
The minimum wage is stated in the collective agreement - employers cannot pay less, but they can pay more.

# Allowances and remunerations

- Special allowances and remunerations which do not relate to the actual cost of being posted is considered as part of the employee's salary. E.g. personal salary supplements / bonuses.
- A daily allowance or "posting allowance" is compensation for the cost of being posted and is not considered as wage.
- If the terms of the employment relationship do not specify whether the remunerations or allowances paid for the posting are based on actual costs, the reimbursement is considered as reimbursement of costs and not as salary.

# What is a collective agreement? 1/2

- Collective agreement (TES) is an agreement between a trade union and employer union.
- It defines the minimum terms and conditions
  - For example, pay and working hours
  - More specific than legislation



# What is a collective agreement? 2/2

- If there is a **universally binding** collective agreement in the sector, every employer on that sector must follow it.
- [Collective agreements for the transport sector on our website](#)
- Trucking
- Coach and bus crews
- Tanker and oil products sector
- Terminals
- Port
- Cabin crew
- Ferry traffic personnel
- salaried employees in the road traffic sector

# Example of wages on Road Haulage Sector

Pay scales starting from 1 October 2022 or from the nearest next pay period starting after that (€)

## Full-trailer and module

truck drivers	hour	2 weeks
under 4 years	15,30	1224,00
4 to 8 years	15,46	1236,80
8 to 12 years	15,91	1272,80
over 12 years	16,24	1299,20

## Semi-trailer and tractor drivers (C1E/CE driving licence categories)

under 4 years	14,79	1183,20
4 to 8 years	14,95	1196,00
8 to 12 years	15,40	1232,00
over 12 years	15,68	1254,40

## Truck, pump truck, wheel loader and tractor drivers (B/C1/C driving licence categories)

under 4 years	14,50	1160,00
4 to 8 years	14,65	1172,00
8 to 12 years	15,07	1205,60
over 12 years	15,38	1230,40

New wages in Finnish  
(pdf on page [www.akt.fi](http://www.akt.fi))

## Passenger car, van, and tractor drivers (T/LT driving licence categories)

under 4 years	14,22	1137,60
4 to 8 years	14,36	1148,80
8 to 12 years	14,78	1182,40
over 12 years	15,02	1201,60

## Vehicle assistant

under 4 years	14,10	1128,00
4 to 8 years	14,25	1140,00
8 to 12 years	14,64	1171,20
over 12 years	14,91	1192,80

## Pay scales for international traffic

	16,05	1284,00
8 % increase	17,17	1373,60

# Example of wages on Bus crews

[New wages in Finnish](http://www.akt.fi)  
(pdf on page [www.akt.fi](http://www.akt.fi))

## Pay scales starting from 1 October 2022 or from the nearest next pay period starting after that (€)

<b>Bus driver</b>	hour	2-weeks
under 4 years	14,91	1192,80
4 to 8 years	15,13	1210,40
8 to 12 years	15,59	1247,20
over 12 years	15,88	1270,40

<b>Fare collector</b>		
under 4 years	13,18	1054,40
4 to 8 years	13,40	1072,00
over 8 years	13,64	1091,20

## Helsinki region

### Bus driver

under 4 years	16,44	1315,20
4 to 8 years	17,07	1365,60
8 to 12 years	17,72	1417,60
over 12 years	18,14	1451,20

## Turku

### Bus driver

under 4 years	15,92	1273,60
4 to 8 years	16,49	1319,20
8 to 12 years	17,11	1368,80
over 12 years	17,48	1398,40





# Useful information

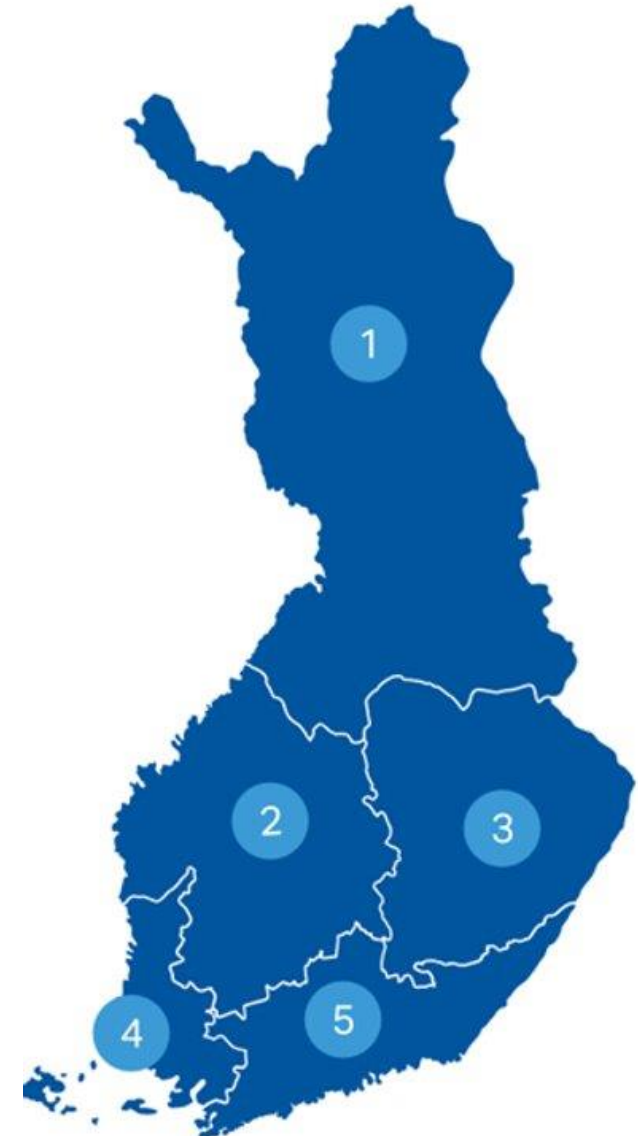


# How to contact us

- Telephone service of the occupational health and safety authority: +358 295 016 620
  - In English from Tuesday to Thursday at 9–12 Finnish time
- Liaison office for posted workers: [postedworkersfin@avi.fi](mailto:postedworkersfin@avi.fi)
  - The Occupational Safety and Health Division at Regional State Administrative Agency for Southwestern Finland

# You can be in touch with the local OSH inspectors for foreign workers

1. Northern Finland  
tyosuojelu.pohjois@avi.fi
2. Western and Inland Finland  
tyosuojelu.lansi@avi.fi
3. Eastern Finland  
tyosuojelu.ita@avi.fi
4. Southwestern Finland  
tyosuojelu.lounais@avi.fi
5. Southern Finland  
tyosuojelu.etela@avi.fi



# Website Tyosuojelu.fi

## Information about

- Employment relationship
  - Posted worker
  - Posting in road transport
- Working conditions
- Occupational safety and health

In Finnish, Swedish and English



Tyosuojelu.fi

Website of the Occupational Safety and Health Administration in Finland

Search from site...



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# This material is free to use

- Presentation:  
[www.tyosuojelu.fi/live23](http://www.tyosuojelu.fi/live23)
- Recording will be there in a few days.



# Any questions?

- The chat will be open for another 10 minutes.
  
- Please give us feedback!



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