



As a foreign employee in Finland

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Website of the Occupational Safety
and Health Administration in Finland

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A foreign employee's right to work and the storing of information

EU citizens*

If you are an EU citizen, you may work in Finland without a special permit. However, even EU citizens must register their residence, if their stay in Finland lasts for more than three months.

Registration of an EU citizen's right of residence

You can register your residence at the local police station. An exception to this is citizens of the Nordic countries who are registered at the registry office based on an Inter-Nordic Migration Form.

Citizens outside the EU

Other than in a few exceptional cases, if you are not a Finnish or EU citizen you need a residence permit granting the right to work. The right to work is stated in the residence permit card (or in a label in your passport). Your Kela card, driving licence, tax card or A1 certificate (E101 certificate), however, are not documents granting the right to work.

Your residence permit may automatically include the right to work (e.g. a permanent residence permit or a residence permit based on family reasons). Your residence permit may have been granted specifically to an employer or a particular sector, in which case you may only work for the named employer or in the specified sector.

If you have a student residence permit, your right to work is restricted during the academic terms (25 hours per week on average). The right to work is not restricted when the educational institution offers no instruction.

Asylum seekers

If you are an asylum seeker and have an official travel document, you may work in Finland once three months have passed since you submitted your application for asylum. If you have entered the country without an official travel document, your right to work begins once six months have passed since you submitted your application for asylum.

Your right to work continues until the application for asylum has been legally resolved. If your application for asylum is refused and you appeal the decision, your right to work continues until the court issues the final decision.

Employer's obligations

The employer is obligated to confirm from the official travel document or residence permit card that the foreign employee has an employee's residence permit, or that a permit is not needed. In addition, the employer is obligated to store the information regarding the foreign employee's right to work for four years beyond the termination of the employment. For this reason, the employer is obligated to ask to see and copy your residence permit.

* Applies also to the citizens of Iceland, Liechtenstein, Norway and Switzerland.

Information on the principal terms and conditions of employment

Employment contract

An employment contract can be executed in writing or verbally. In practice, to avoid any misunderstandings and to secure the legal rights of both parties, an employment contract should always be executed in writing. If you have concluded the employment contract verbally, the employer must give you a written statement of the principal terms of employment no later than when the first pay period ends.

The written employment contract or statement must include

- the domicile or business location of the employer and the employee
- the date of commencement of the work
- the duration of the fixed-term employment and justification for concluding a fixed-term contract
- length of the trial period (if a trial period is agreed)
- place where work is to be carried out; if there is no fixed workplace, an explanation of the principles according to which the employee will work in various work locations
- the employee's principal duties
- the collective agreement applicable to the work*
- the grounds for determination of pay and the pay period
- regular working hours
- the manner of determining annual holiday
- the period of notice or grounds for determining it.

* The collective agreement is an agreement concluded by the labour market organisations defining the minimum terms of employment.

Working time and record of working hours

Daily and weekly working hours

Regular working hours are a maximum of 8 hours per day and a maximum of 40 hours per week. In some sectors (in the restaurant industry, transportation industry, nursing homes, etc.), regular working hours may be arranged as so-called period-based work. In such a case, regular working hours as per the Working Hours Act are either 80 hours in two-week periods or 120 hours in three-week periods. In the restaurant industry, regular working hours are at the most 111 hours in three weeks.

Check the detailed provisions pertaining to working hours from the collective agreement applicable to the industry.

Record of working hours and pay

The employer must keep a record of the hours worked by the employee and of the wages paid for them. You have the right to receive a copy of the working hours record from your employer.

You should also keep a record of the working hours you have worked. Remember to also record the start and end times of shifts.

Rest periods

Daily break

During working days longer than six hours, you are entitled to a break of at least thirty minutes, which is unpaid, if you are free to leave the workplace during this time.

Daily coffee breaks may have been agreed in the collective agreement, in which case they are included in the paid working hours.

Daily rest period

In most cases, there must be an 11-hour-long uninterrupted daily rest period between the end of one work shift and the beginning of the next. In specific cases, the rest period may be shorter.

Weekly rest period

According to the principal rule, you must have at least a 35-hour-long uninterrupted weekly rest period once a week. If possible, it should be placed in connection with Sunday.

Minimum wage and pay slips

Minimum wage

In Finland, you are always entitled to pay for the work you have carried out. There is no general minimum wage in Finland, but the wages are defined according to the industry's collective agreement. If there is no collective agreement in the sector, you must be paid a usual and reasonable wage for your work.

Wages defined by a collective agreement vary according to the employee's tasks and occupational skill requirements.

For example, in 2015

- the minimum wage for a cleaner is EUR 9.83 per hour
- in the restaurant industry, the starting wage for a cook is EUR 10.04 per hour
- the minimum wage for a starting employee in the construction industry is EUR 9.83 per hour
- in the gardening and farming industry, the hourly wage is at least EUR 8.44.

You can check the valid wages from each industry's collective agreement in Finlex at www.finlex.fi.

Sick pay

You are entitled to sick pay for the day you fell ill and for the next nine days you are ill. Industry-specific applications of the determination of sick pay can be found in the collective agreements.

Pay calculation

On payment of wages, the employer must provide you with a calculation showing the amount of pay and the grounds for its determination, for example the number of hours you have worked and the amount of the hourly wage in addition to a separate account of possible overtime compensations or other compensations. Based on the pay slip, you should be able to calculate the accuracy of your wage yourself.

Overtime

According to the Working Hours Act, those working hours that exceed 8 hours per day or 40 hours per week are considered overtime. In the case of period-based work carried out in two-week periods, work that exceeds 80 hours is overtime and in three-week periods work that exceeds 120 hours is overtime. However, overtime stipulations may have been agreed differently in the collective agreement. Check the overtime stipulations in your industry from the applicable collective agreement.

Maximum amount of overtime and agreeing on it

The employer may not ask you to work more than 250 hours of overtime per calendar year. In addition to this, your workplace may have agreed locally on no more than 80 hours of overtime, in which case the maximum amount of overtime per year is 330 hours.

The local agreement must be conducted in **writing** before the overtime limit is exceeded and it must mention which part of the personnel it applies to and the amount of the agreed additional overtime.

Employer's obligations

The employer must monitor the overtime accrual in real time so that the specified maximum limits are not exceeded.

Consent to overtime

Your employer must ask for your consent to the overtime separately each time. In other words, no permanent consent to overtime can be given in the employment contract.

Increments and compensations increasing the wage

Overtime pay

Wages paid for the first 2 hours of work exceeding 8 hours per day will be increased by 50 per cent, and for the following hours, by 100 per cent.

Wages paid for the first 8 hours of work exceeding 40 hours per week (that does not include daily overtime) will be increased by 50 per cent, and for the following hours, by 100 per cent.

In the case of period-based work carried out in two week periods, wages paid for the first 12 hours of work exceeding 80 hours will be increased by 50 per cent, and for the rest of the hours, by 100 per cent.

In the case of period-based work carried out in three week periods, wages paid for the first 18 hours of work exceeding 120 hours will be increased by 50 per cent, and for the rest of the hours, by 100 per cent.

However, overtime compensations may have been agreed differently in the collective agreement. Check the overtime compensation stipulations in your industry from the applicable collective agreement.

Exchanging overtime compensation for time off

You may agree with your employer to convert extra work and overtime compensation partly or wholly into time off with pay. The free time allocated for the overtime is determined in accordance with the increment percentages applying to overtime remuneration.

Sunday pay

The wage payable for work carried out on a Sunday or a religious holiday is the regular wage plus 100%. This cannot be exchanged for time off with pay. This may have been agreed upon differently in a collective agreement.

Evening and night work allowance

You may also be entitled to evening and night work allowances in accordance with a collective agreement. Industry-specific collective agreements stipulate the amounts and methods of calculation of the allowances.

Annual holidays

Accrual of holiday days

Holiday days accrue for the calendar months of the holiday credit year (i.e. for the period between 1. April and 31. March) during which the employee accumulates at least 14 days at work or 35 working hours.

You are entitled to two weekdays of holiday for each full calendar month of the holiday credit year, if your employment has lasted continuously for less than a year by the end of the holiday credit year.

If the length of the employment relationship exceeds one year, you are entitled to two and a half weekdays of holiday for each full calendar month of the holiday credit year.

Taking holidays

You must be granted a summer holiday (24 weekdays) during the holiday season of 2 May – 30 September.

A winter holiday (the portion exceeding 24 weekdays) is granted after the holiday season and before the beginning of the next holiday season, between 1 October and 30 April.

Earned annual holiday days must be taken; they cannot be paid in cash.

Employer's obligations

The employer must keep a record of the employee's annual holidays and carried-over holidays as well as the holiday pay and holiday compensation determined on the basis of the Annual Holidays Act. The annual holiday records must show the duration and dates of the annual holidays, the amount of holiday pay and compensation, and the basis on which they are determined.

Holiday pay and compensation

Employees receiving monthly pay

An employee whose pay has been agreed on a monthly basis has a right to receive this pay for the period of their annual holiday.

Employees receiving hourly or piecework pay

The amount of holiday pay for employees receiving hourly or piecework pay varies according to industry-specific collective agreements.

Holiday compensation

The holiday compensation has also been agreed in the Annual Holidays Act (in employment relationships shorter than one year, 9%, and in employment relationships longer than a year, 11.5%). It will be paid when your employment relationship ends or if you work part-time, for example. In collective agreements, the holiday compensation percentage may be different (for example, in the construction industry, it is 18.5%).

Holiday bonus

Several collective agreements have also agreed on a holiday bonus (end-of-holiday pay) that, in most cases, is 50% of the holiday pay.

Employer's obligations

When paying holiday pay or holiday compensation, the employer is obligated to provide you with a statement indicating the amount of holiday pay or holiday compensation and the basis on which it was determined.

General

Every employee is entitled to holiday and holiday pay.

Occupational health care and accident insurance

Employee's right

An employee is entitled to at least statutory occupational health care. The occupational health care contract may also include medical services.

Employer's obligations

Irrespective of the number of employees, quality of the work performed and employment contract or working hours, the employer must arrange occupational health care for all of its employees.

The employer must sign a written occupational health care contract with a service provider and it must be on display to all employees together with the workplace survey.

In industries involving a particular risk of illness, the employer is obligated to direct you to mandatory health examinations.

Accident insurance

The employer must take a statutory accident insurance for their employees from an accident insurance company of their choice. The accident insurance compensates expenses and loss of income caused by an accident and occupational diseases. Details of the accident insurance company must be on display to the employees at the workplace.

In case of an accident

If you have an accident at work, inform your employer or your immediate superior immediately. They will provide you with an insurance certificate with which your injury will be treated free of charge at the health centre or hospital, for example. If you do not have the certificate with you, you will have to pay for the treatment and medications. In such a case, the insurance company will compensate the costs against receipts.

Photo ID and tax number

If you are working on a construction site, you must keep the photo ID provided by your employer visible. The photo ID must include your name, the name of your employer and your tax number that is entered in the public tax number register.

Where can I get a tax number?

You have received your tax number in connection with the tax card. If you have lost your tax card, you can obtain your tax number from the tax office.

Foreign employees must retrieve their tax number from the tax office.

FURTHER INFORMATION:

Information on the terms and conditions of employment and working conditions:

www.tyosuojelu.fi

Collective agreements:

www.finlex.fi/fi/viranomaiset/tyoehto

Working Hours Act, Employment Contracts Act, Collective Agreements Act, Annual Holidays Act, Aliens Act, Occupational Health Care Act and Occupational Safety and Health Act:

www.finlex.fi

Information on the tax number:

www.vero.fi/fi-FI/Henkiloasiakkaat/Veronumero

Information on residence permits:

www.migri.fi/oleskeluluvat

www.poliisi.fi/luvat/ulkomaalaisluvat

This publication is intended for foreign employees and includes a summary of the basic principles related to working in Finland. The presentation is not complete and more information is available from the above-mentioned sources.



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