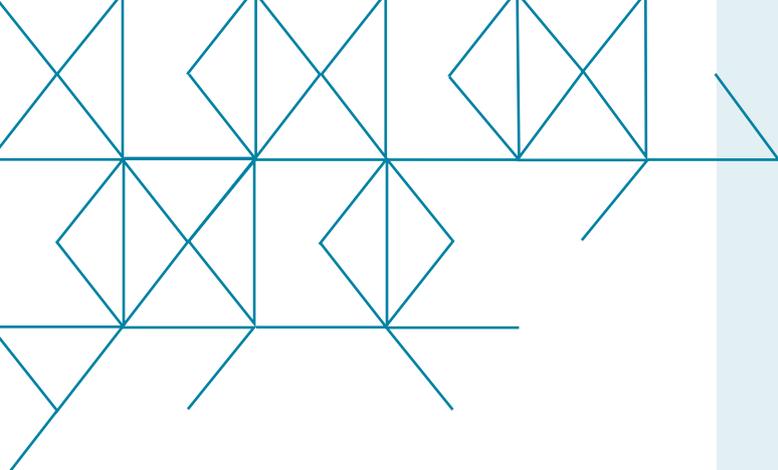




2012

Annual Report of the Occupational Safety and Health Administration in Finland



Healthy work

Longer working careers
through occupational safety
and health

*

Fair working life rules

*

Expertise to ensure legal
working conditions

Occupational Safety and Health Administration
Tampere 2013

Picture on the cover: Piretta Pietilä

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Foreword

The positive development of occupational safety and health (OSH) enforcement continued in 2012. The number of inspections and of workplaces inspected increased. In 2008 and 2009 the former Occupational Safety and Health Inspectorates (at present Divisions) inspected about 14 700 workplaces annually, in 2010 almost 14 200 workplaces, and in 2011 about 16 000 workplaces. But in 2012, already more than 18700 workplaces were inspected. The result objectives and bonus payment objectives set for the OSH Divisions were in general well met.

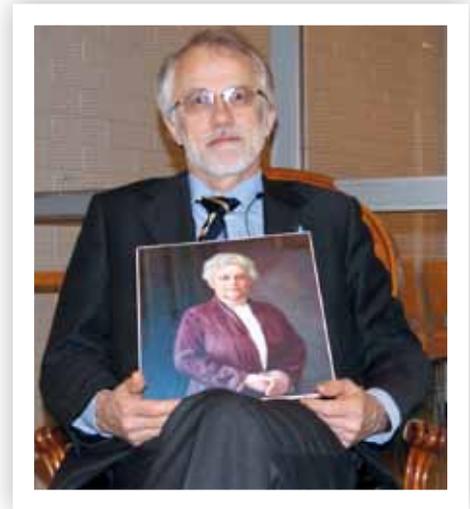
Attention was paid especially to enforcement quality, and to improvement and harmonisation of the quality. Inspection reports drawn up using Vera inspection data system are a clear change from the point of view of clients. Peer reviews of the Occupational Safety and Health Divisions help these regional authorities to identify their best practices in a way that is possible only between top experts, and the reviews help them to learn from each other. Coordination groups have harmonised both enforcement procedures and interpretations of the legislation to be enforced.

On the basis of client enquiries, the clients are satisfied with the operation of the OSH Divisions at the Regional State Administrative Agencies. However, their operation can be further improved. Two rapporteurs, Mikko Hurmalainen and Pentti Pekkala, drew up their proposals on the operation of OSH Divisions, and the social partners gave their own proposals. The Government took those proposals into account, among other things, and prepared its report on the launching and implementation of the reform in regional administration. The Government report was published in 2013.

The activities of the Department for Occupational Safety and Health concentrated with greater clarity than before on the basic tasks of ministries: supporting the Government decision-making, drafting national and European statutes, and steering the administration under the ministry. The preparation of the directive on electromagnetic fields is an example of excellent cooperation, both within the administrative sector of the Ministry of Social Affairs and Health and with national and European interest groups.

During 2012, the organisation of the Department for Occupational Safety and Health was rearranged to correspond to the current tasks of the department. The personnel goals set by the earlier Productivity Programme were achieved. The new large development projects of the Government – the design of an overall architecture, the programme for effectiveness and productivity, and the central administration reform – are under preparation.

All things considered, the personnel of the Department for Occupational Safety and Health (at the Ministry of Social Affairs and Health) and the personnel of the OSH Divisions (at the Regional State Administrative Agencies) have achieved excellent results in 2012.



Picture: Reetta Aho

Leo Suomaa
Director-General, Department for Occupational Safety and Health



Policies for the work environment and well-being at work until 2020

The Policies for the Work Environment and Well-being at Work Until 2020, which were adopted in 2011, define the long-term goals and measures for occupational safety and health. The Policies support the strategic goal of the Ministry of Social Affairs and Health to prolong the working careers in Finland by three years by 2020. The Policies also define the role of occupational safety and health actors when working for this goal.

The Policies set the following objectives for 2020 (compared with the situation in 2010):

- The number of occupational diseases to decrease by 10%.
- The frequency of workplace accidents to decrease by 25%.
- Work-related harmful strain to be reduced.
 - Perceived physical strain to be reduced by 20%.
 - Perceived mental strain to be reduced by 20%.

According to the Policies, the actions needed are:

- Leadership is the cornerstone of well-being at work.
- The occupational health care service provider becomes an efficient partner of the workplace.

- Knowledge, will and competence are created through cooperation.
- Successful information and communication enhance the effectiveness of measures.
- Good legislation provides the foundation for the minimum standard of working conditions.
- The competent occupational safety and health administration is in charge of the enforcement of legislation.

The Policies are put into effect in network cooperation between OSH parties and working life parties. In 2012, actions were taken to make the Policies known both in Finland and internationally. Reaching the goals was supported by activities that followed the Government Programme and were carried out by the Forum for Well-being at Work and the Leadership Development Network. The Ministry of Social Affairs and Health led the activities, and the Finnish Institute of Occupational Health organised them. Additionally, the Policies have been utilised in the content and implementation of the Strategy for the Development of Working Life, that is coordinated by the Ministry of Employment and the Economy.

According to information received from the Federation of Accident Insurance Institutions, the



Picture: Reetta Aho

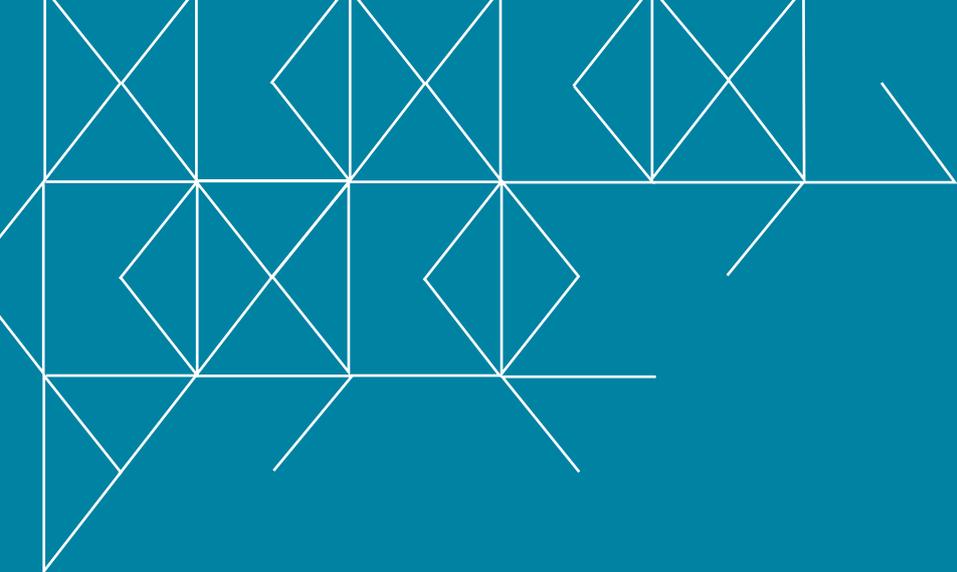
development of accident frequency was unfavourable with regard to the goal in 2011 but it took a turn for the better in 2012. According to the goal, the frequency will be 22,7 in 2020.

Information collected by the Finnish Institute of Occupational Health shows that in 2010 the number of occupational diseases and suspected occupational diseases was 5839. The goal is to reduce the occurrence of occupational diseases to 5255 cases in 2020.

Table 1. Development of accident frequency from 2010, wage and salary earners' accidents at work (per one million working hours)

2010	30,2
2011	31,0
2012 (preliminary data)	30,0

Source: Federation of Accident Insurance Institutions, Finland



Activities of occupational safety and health administration

Activities of the Occupational Safety and Health Divisions at the Regional State Administrative Agencies

The OSH Department of the Ministry of Social Affairs and Health steers the activities of the regional OSH administration by means of four-year framework agreements and annual performance agreements. The year 2012 was the first year of operation during the framework period 2012–2015.

Occupational safety and health enforcement

The framework agreements between the Ministry of Social Affairs and Health and the OSH Divisions of the Regional Administrative Agencies define the central objectives of OSH enforcement as well as the sectors on which the enforcement mainly focuses. The priorities for the enforcement during the framework agreement period 2012–2015 are: monitoring the rules of working life and

prolonging work careers. Participation in preventing shadow economy plays a central role in monitoring the rules of working life. Workplaces shall have functional methods for carrying out work in a safe and healthy way, as the law requires.

Monitoring the rules of working life

Participation in preventing shadow economy

The OSH Divisions participated in **combating the shadow economy**, which formed a part of monitoring the rules of working life. The OSH Divisions monitored foreign employees' right to work and the compliance with the minimum terms of employment in selected sectors. In the enforcement regarding the construction industry, a separate plan for combating the shadow economy was drawn up. The plan was drawn up in cooperation with the central interest groups in

The coordination group for the construction sector drew up a national enforcement plan

The mission of the coordination group for construction sector is to plan and develop the enforcement, to ensure uniform interpretation of legislation concerning the construction sector, and to take care of the interest group cooperation. The group drew up a national enforcement plan for 2012, and the enforcement was arranged in accordance with that plan in the OSH Divisions of the Regional State Administrative Agencies. Concrete check lists were drawn up for inspections on the basis of the enforcement plan, and the workplace inspections were carried out using those lists. The central fields of activity in 2012 were the OSH competitions, monitoring of construction project supervisors, enforcement focused on clients and designers, as well as control of the shadow economy.

OSH competitions for construction companies were organised in cooperation with interest groups. The observance of the minimum level of working conditions was monitored during inspections in connection with the competition, and construction companies already committed to occupational safety and health were motivated to reach even better results in the future. The level of occupational safety and health at enterprises participating in the OSH competition has increased every year, and their accident frequency has significantly decreased. The best construction sites were rewarded in the national occupational safety and health competition. These sites are examples of such levels of safety that can be achieved by currently available technological solutions.



Picture: Piretta Pietilä

*Keijo Päivärinta, Senior Inspector at the OSH Division of the Regional State Administrative Agency for Southern Finland
Chair of the coordination group for construction sector*

Shadow economy has been combated by checking ID cards, tax numbers and constructions sites' personnel lists, and by monitoring that obligations with regard to contractors' liability, legislation on foreign employees and the terms of employment of foreign employees are complied with. Some deficiencies were found when checking matters regarding contractors' liability. However, the share of those constructions sites where these matters are taken care of well has increased at least on the level of main contracts. When checking the ID cards it was found that the ID cards of 86 per cent of the employees comply with the legislation.

The coordination group has had close cooperation with central interest groups of the construction sector for combating shadow economy and for improving the occupational safety of employees in the construction sector.

construction sector. Communication and cooperation between authorities supported the enforcement effectively when actions for preventing shadow economy were taken.

The OSH Division of the Regional State Administrative Agency for Southern Finland monitored compliance with the Act on the Contractor's Obligations and Liability

when Work is Contracted Out (1233/2006) in the whole country. The objective of the enforcement was to prevent the adverse effects of shadow economy and unhealthy competition to society and enterprises. The inspectors of contractor's liability carried out 885 inspections in total all over the country. They made inspection visits mainly to construction sites, industry, public administration, and



Picture: Marja Tereska-Korhonen

Venla Roth from the Office of the Ombudsman for Minorities and Jari Kähkönen from the assistance system for victims of human trafficking (second and third from left) had a discussion on authority cooperation on the issue of human trafficking with Antero Seppänen, Anu Ikonen, Seppo Pekkala ja Kristiina Linna from the the OSH Division at the Regional State Administrative Agency for Southwestern Finland.

the logistics sector. Inspections of other sectors were mainly carried out on the basis of hints received. The process for a negligence fee was initiated in 59 cases. The total amount of negligence fees was 539 600 euros.

The inspectors of contractor’s liability are actively contributing to develop the prevention of shadow economy together with, among others, the tax administration, the police and the Finnish Centre for Pensions. This work includes, for example, giving information on inspection findings to other authorities.

Provisions on **driving and rest periods** in road freight transport and road passenger transport are uniform in all Member States of the European Union and the European Economic Area. Each Member State organises appropriate and regular enforcement in their area, both on the road and in company premises. Occupational safety and health authorities monitor the driving and rest periods of drivers in accordance with Directive 2006/22/EC. In 2012, the goal was to inspect three per cent of all workdays of the drivers of vehicles to be monitored.

According to the labour division between the OSH administration and the police, the OSH authorities carry out inspections mainly in enterprise premises, and the police carries them out on the road. In 2012, about 237 900 driver workdays were inspected in enterprises.

Compliance with the **working hours legislation** was monitored during all inspections where this was found purposeful, and it was also monitored by means of special targeted working hours inspections. In accordance with the performance agreement, **fixed-term employment relationships, temporary agency work and compliance with the Equality Act** were monitored, too.

Prolonging working careers

Harmful strain caused by work and working conditions

Management methods for the management of client violence were monitored in the sectors of trade,

accommodation, security services, education, and social and health care services, for example. Management methods regarding harassment and unfair treatment were monitored e.g. in public administration, education, social and health care services, and trade and security services. Other psychosocial strain factors were monitored e.g. in the ICT sector and in the municipal and public sectors. During inspections it was revealed, for example, that employers have not always understood, especially with regard to office work, that psychosocial strain can be a risk factor. Therefore psychosocial strain had not always been taken into account when identifying the risks.

Risk management systems relating to manual lifting of loads were monitored, among other sectors, in industry, trade, cleaning, and social and health care services. Management methods for problems caused by repetitive work were monitored in the sectors of industry and trade.

Enforcement experiences indicate that viable safety management systems have become more common at workplaces. However, there are still significant differences between the sectors of industry.

Prevention of occupational accidents

The OSH administration aims to reduce the number of workplace accidents by improving the working conditions in accident-prone sectors and by developing the safety management systems of workplaces. As part of the enforcement, the OSH authorities evaluate workplaces' safety level in connection with the national safety competition in the construction sector. This is done by using special measuring methods developed for evaluating working conditions. 41 building construction sites from all over the country participated in the safety competition for the construction sector.

Monitoring occupational health care

When monitoring occupational health services, the OSH Divisions checked that workplaces had valid occupational health care agreements, workplace surveys and action plans based on the survey. They also checked that health examinations had been arranged

for persons carrying out work tasks causing specific risks of illness. It was also checked that the workplaces had taken the actions required by legislation. The enforcement showed that the employers generally had provided occupational health care services for their employees. Most deficiencies came up with workplace surveys. Another central observation during the inspections was that especially small workplaces have deficiencies in providing occupational health care services. When monitoring occupational health care services, the Divisions cooperated with the divisions of basic public services, legal rights and permits at the Regional State Administrative Agencies.

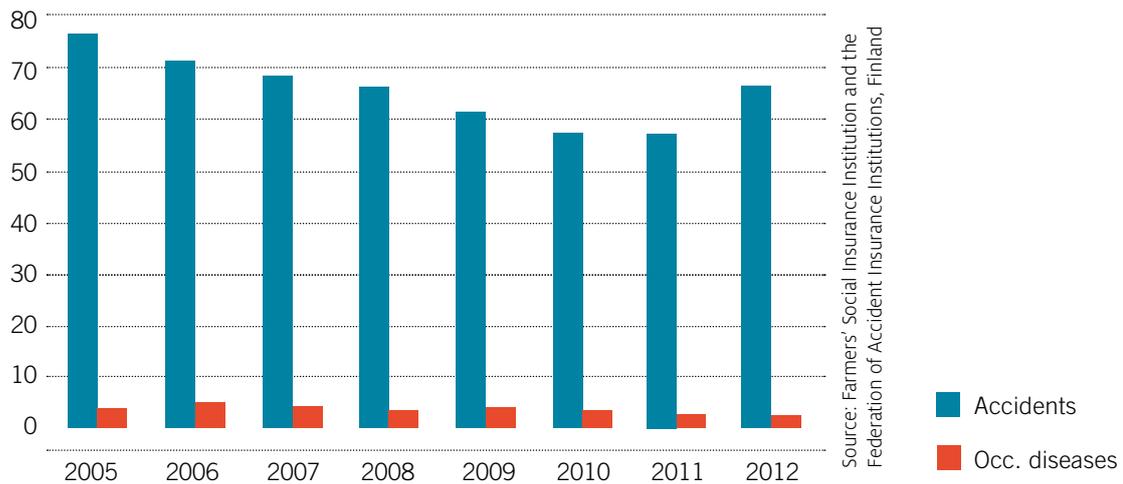
Chemicals control

Ensuring the management of chemicals risks and the safe use of chemicals at workplaces is one of the priorities of the enforcement during framework period 2012–2015. Control activities were carried out at workplaces where chemicals were used in considerable amounts. Chemicals control was also carried out as a national project.

The national **project for chemicals** control was focused on metal industry companies that machine acid steel. The objective of the project was to reduce chemicals risks, to harmonise the observance of legislation, and to improve the capabilities of both companies and inspectors to deal with matters relating to chemicals safety. The inspections were focused on working conditions at production premises, chemicals used by the companies, and personal protective equipment used by employees at their work. Inspections were carried out in 142 companies. The results showed that workplaces were best in handling matters related to accidents and rescue preparedness. However, they did not do that well regarding the use of personal protective equipment, management of chemicals risks, or order and cleanliness.

One of the objectives of the project was to take non-compliant products off the market. The labels and safety data sheets of altogether 311 products were checked. In total 40 per cent of the labels and 59 per cent of the safety data sheets met the requirements laid down by legislation. The most common defect with labels was

Figure 1. Accidents and occupational diseases of agricultural entrepreneurs



that their information did not always correspond to the information given on the safety data sheet. Most defects in safety data sheets were related to classification, warning labelling and risk clauses.

Agriculture

OSH enforcement activities regarding agriculture are mainly carried out on the basis of client initiatives. The number of requests for action is 200 per year on average. Clients usually take contact because of ambiguities in payment of wages or in working hours. The OSH authorities aim at improving the safety level of workplaces in agriculture by participating in agricultural exhibitions and in the campaigns of the European Agency for Safety and Health at Work.

The OSH authorities made enforcement enquiries and workplace visits to berry farms using seasonal workers. During the inspections, the following issues were looked into: organising of occupational health services, accident insurances, working hours records, use of foreign labour, wages, and personnel rooms. Almost every farm had deficiencies in their working hours records. Because of the deficiencies in the working hours records, it was not possible to evaluate the wages on all farms. There were also deficiencies in pay calculations and holiday compensations, as well as in fringe benefit accounting.

Since 2005, the accident rate of agricultural entrepreneurs has decreased steadily. However, many accidents happened in the difficult harvest conditions of autumn 2012, and the decreasing trend was broken. In total 66 accidents per one thousand insured agricultural entrepreneurs occurred in 2012. The corresponding rate was 57 in 2011. (Figure 1)

Shipping

During the reporting year, OSH authorities carried out vessel control in accordance with the Ministry's instructions.

The national preparation of regulations of the ILO Maritime Labour Convention continued in matters under the jurisdiction of the OSH administration. The OSH administration made preparations for inspections required for maritime labour certificates.

The maritime labour certificate is based on the ILO Maritime Labour Convention (MLC 2006). A maritime labour certificate is a prerequisite for a ship to operate. Additionally, an occupational safety and health inspection is required before granting a maritime labour certificate. Maritime labour certificates are granted by the Finnish Transport Safety Agency, TraFi, on the basis of a statement of the OSH authority. The requirement for maritime labour certificates will enter into force gradually during 2013.



Picture: Piretta Pietilä

Market surveillance

Any machinery and equipment, personal protective equipment and chemicals on the market must meet the requirements set by legislation. OSH authorities shall monitor the compliance with the requirements of products used at work. Market surveillance measures are carried out both by OSH Divisions and by the Department for Occupational Safety and Health.

The OSH Divisions of the Regional State Administrative Agencies handled 128 market surveillance cases, mainly concerning machines and personal protective equipment. In 16 cases of these, the matter was referred to the Ministry of Social Affairs and Health for further consideration. In addition to market surveillance cases from OSH Divisions, market surveillance cases are sent to the Ministry also from other parties. In total 26 market surveillance cases were concluded in the Ministry during the year. In nine cases the authority prohibited the placing on the market and putting into service of the product. These cases involved machines and personal protective equipment. The Department for Occupational Safety and Health has continued to steer the market surveillance activities of the Regional State Administrative Agencies. The

Department has also been responsible for the action of market surveillance networks. National cooperation has been carried out with other Finnish market surveillance authorities. International cooperation has included e.g. participation in cooperation groups with market surveillance authorities from other EU Member States.

In 2012, market surveillance was carried out in accordance with EU regulation on accreditation and market surveillance (765/2008/EC) and in line with market surveillance programmes drawn up for different product groups.

In a national **market surveillance project on personal protective equipment**, the OSH Divisions checked personal protective equipment used in the construction sector, in other words industrial helmets, visors that can be attached to a helmet, visible warning clothing, and safety harnesses. Inspections were carried out at special stores importing and selling personal protective equipment, and at hardware shops and department stores. The labelling and the instructions for use of about 50 per cent of the items of personal protective equipment were in order. Among the safety harnesses, 70 per cent of the items fulfilled the requirements.

The measures for customs cooperation were developed in a Nordic Customs cooperation project on personal protective equipment. Cooperation between the OSH Divisions and the Customs was tested in Finland by inspecting industrial helmets imported during the inspection period. The batches imported during the inspection period fulfilled the relevant requirements.

The **follow-up surveillance project on cutting devices of brush cutters** ensured that no prohibited devices are on sale in the EU. Altogether 213 retail outlets were inspected during the project. Eight of them were selling prohibited items. The total number of prohibited items on sale was 100. The OSH Divisions ensured that those items were withdrawn from sale.

The final report of the European **market surveillance survey on noise of machinery** was completed and published in 2012. 14 countries participated in the survey, and the instruction manuals of more than 1500 machines were inspected with regard to the noise information they gave. Only 20 per cent of the manuals gave the noise information required by law.

In 2012, Finland participated in a European market surveillance project for collecting information on **firewood machinery**. The project aimed at collecting information on the technical solutions of firewood machinery on the market. The information is going to be utilised when defining the state of the art of the machinery for the firewood machinery standards currently under preparation.

With regard to **lifting equipment**, a national project was used to improve the inspections and to enhance the competence of inspectors. During the project, the safety of lifting equipment at workplaces was checked, and information was collected on how the regulations

had been followed with regard to inspections and the competence of inspectors. The project focused on car lifts and industrial cranes. There was no reason for any remarks at about 45 per cent of the workplaces.

In 2012, the OSH Divisions carried out a market surveillance project on **machinery emergency stops and their operation**. The project focused on machinery used at workplaces. Information of different emergency stop solutions and their functional features was collected during the project.

Outcomes of enforcement

OSH enforcement aims at both societal and workplace impacts. OSH enforcement is carried out by authority and client initiatives.

A central factor for making an impact is the selection of objects of enforcement. The focus of enforcement has been intensified for the framework period 2012–2015. The OSH Divisions will focus their authority-initiated enforcement on the basis of a national and regional analysis of the operational environment, and on the basis of information from different data systems. In order to focus the enforcement, all OSH Divisions have drawn up an enforcement plan for the whole framework period, and the plan will be annually updated. Additionally, the regional OSH boards appointed by the OSH Divisions aim at taking account of social partners' views better than before when planning enforcement activities.

Client-initiated enforcement is based on contacts from clients. In 2012, these contacts were responded to comprehensively, and the time limits set for the delivery and availability of services were followed. The impact of

Table 2. Workplace inspections between 2008 and 2012

Workplace inspections (authority-initiated and client-initiated, total)	2008	2009	2010	2011	2012
Number of inspections	20 477	19 916	20 200	22 300	22 500
Workplaces inspected	14 717	14 618	14 162	15 983	18 700
Average time used for a workplace inspection (hours)	2,1	2,0	1,9	1,6	1,6

Source: Ministry of Social Affairs and Health, Department for Occupational Safety and Health



Picture: Marja Tereska-Korhonen

enforcement is also enhanced by developing the quality and methods of enforcement. The OSH administration uses a peer review process for harmonising the enforcement practices and the quality of enforcement in the OSH Divisions. A group of representatives from the OSH Divisions and the Department for Occupational Safety and Health evaluates, in accordance with a procedure agreed on, the actions of each Division on the basis of documents and a one-week field study. Peer reviews of two OSH Divisions were carried out in 2012, in the Regional State Administrative Agencies for Southwestern Finland and for Western and Inland Finland.

To improve communication between OSH Divisions and coherence in enforcement, coordination groups had earlier been founded for the central subject areas of enforcement and for the OSH administration's support activities. These groups continued their work in 2012.

A study on the impact of enforcement is going to be started in connection with enforcement projects. The Ministry of Social Affairs and Health has allocated resources from its research and development funds for research to be carried out in connection with the

national municipality project. A study on the impact of enforcement in the construction sector is also going to be started.

During the framework period 2012–2015, communications supporting the enforcement will be developed in cooperation between the OSH Divisions and the Department for Occupational Safety and Health. The opportunities of interest groups to communicate and disseminate information will be utilised better than today. Furthermore cooperation with interest groups will be intensified. The aim is, among other things, to increase the participation of interest groups in planning and carrying out enforcement projects.

Enforcement through projects

Actions in the form of projects have proved to be an efficient way of carrying out OSH enforcement both on a national and regional level. During the framework period 2012–2015, projects are used in OSH enforcement more often than before. The enforcement to be carried out by OSH Divisions will be mainly organised as projects. Cooperation will be carried out with interest

groups when planning and implementing enforcement projects. In the projects, enforcement will be carried out in accordance with jointly approved procedures. Follow-up and reporting of the projects will take place in the inspection data system. According to the OSH Divisions, in 2012 most inspections were carried out within projects.

An example of a comprehensive enforcement project to be carried out in cooperation with interest groups is the national enforcement project on municipal workplaces. The project will continue for the whole framework period 2012–2015. The project will be carried out in cooperation with the Centre for Occupational Safety, KT Local Government Employers, and the main contracting organisations in the municipal sector. The central goal of the enforcement project is to improve the safety management and occupational safety at municipal workplaces. In connection with the project, inspections were carried out in 160 municipalities in 2012. About half of the inspections were focused on health and social services, which is the largest municipal branch.



Picture:: Unto Kärkkäinen

Use of authority

Occupational safety and health authorities ensure that the legislation on occupational safety and health is complied with. The most important acts with regard to occupational safety and health are the following: Occupational Safety and Health Act, Employment Contracts Act, Working Hours Act, Occupational Health Care Act, and the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces.

The methods of enforcement vary from motivation and advice to coercive means. Written advice can be issued in all matters within the enforcement powers of the OSH authority. However, an improvement notice, and after that a binding decision, can only be issued in certain matters defined by law. In 2012, OSH inspectors gave written advice to workplaces they had inspected in about 42 400 cases. In the same year, the number on improvement notices issued was 6 400. The numbers increased from the previous year – in 2011 inspectors gave written advice in about 38 000 cases and issued about 6 200 improvement notices.

An OSH authority can oblige the employer and other parties involved to remedy the non-complying conditions. In such cases the authority issues a binding decision to the workplace, and a deadline is set for following the decision. The number of binding decisions issued in 2012 was 210.

An OSH authority can also make decisions where it prohibits the use of a machine, work equipment, other technical device or work method, or the continuation of work, if these endanger the life or health of any person. In such cases the authority gives a prohibition notice. In the reporting year, 42 prohibition notices were given.

In connection with the enforcement of the Act on the Contractor's Obligations and Liability when Work is Contracted Out, a negligence fee process was started in 59 cases. The total amount of the negligence fees was about 539 600 euros in 2012.

The OSH authorities made 425 notifications to the police for investigation in 2012. The corresponding figure had been 367 in 2011. The number of statements to the police and to prosecuting authorities was 518 in 2012, and 554 in 2011.

Table 3. Employment offences in accordance with Chapter 47 of the Criminal Code of Finland (39/1889) reported to the police in 2003–2012

Offence category	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
Work safety offence	177	188	208	184	189	195	185	238	205	249
Working hours offence	10	7	18	19	18	18	14	20	28	32
Work discrimination	33	42	50	58	68	63	53	75	93	78
Extortionate work discrimination	-	3	4	15	14	13	42	31	35	40
Violation of the rights of an employee representative	-	-	2	-	-	3	1	-	-	-
Violation of the right to organise, or attempted violation	1	1	1	-	2	-	-	2	2	2
Employment agency offence	-	1	-	-	-	-	2	2	-	-
Unauthorised use of foreign labour	88	57	11	19	15	11	16	15	10	13
Violation of occupational safety and health	33	43	23	25	22	25	21	13	20	23
Violation of the provisions on the labour protection of young workers	1	2	3	1	1	-	-	-	-	-
Neglect of giving compulsory notifications relating to occupational safety and health	4	1	4	11	15	16	15	15	6	-
In total	347	345	324	332	344	344	349	411	399	437

Source: Statistics Finland

Employment offences

The number of employment offences has been increasing during the last few years, and slightly less than 400 cases come up every year. The number of work safety offences is also increasing. Their number rose significantly in 2012, being 249 in total. According to statistical information, unauthorised use of foreign employees reported to authorities still seems to be very low. According to statistics, the following actions are very rare today: violation of the rights of an employee representative, violation of the right to organise, or attempted violation, and employment agency offence. (Table 3)

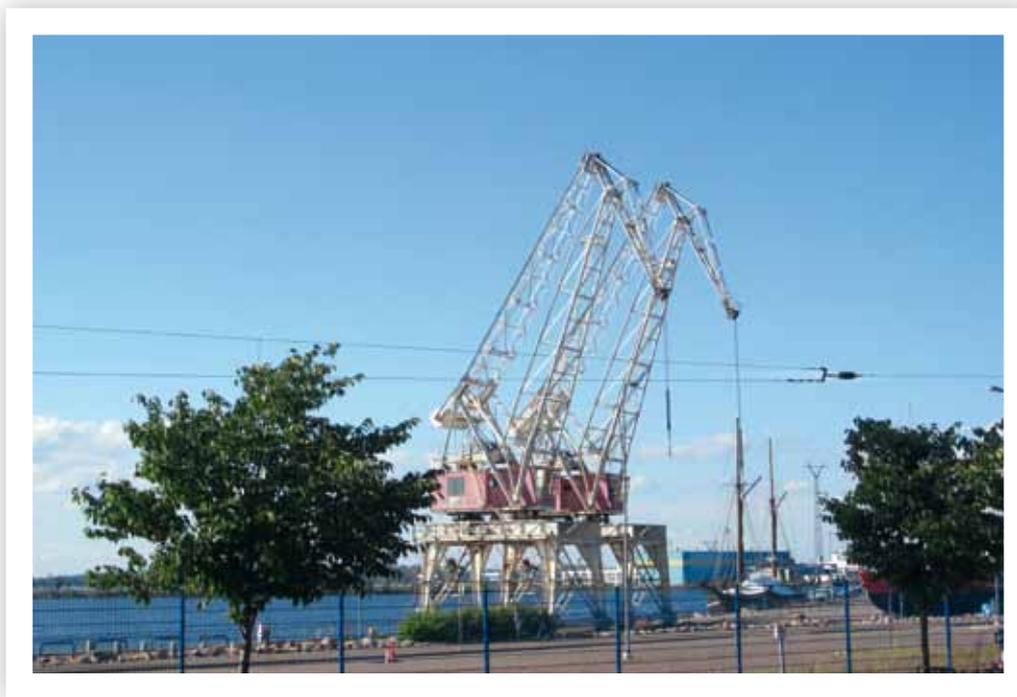
Activities supporting enforcement

The activities that support occupational safety and health enforcement nationwide are concentrated in a

special unit of support services (Tupa), which operates within the Division of Occupational Safety and Health at the Regional State Administrative Agency for Western and Inland Finland. These support activities cover the services concerning education, communication and ICT systems that are common to the OSH Divisions. As for communication and education, the managing boards for the support services unit consist of national coordination groups, where all OSH Divisions and the Ministry of Social Affairs and Health are represented.

Education

Education arranged nationwide for the personnel of the OSH Divisions is divided into education supporting the performance targets and basic education for new inspectors. Education is arranged by the OSH Divisions' support services unit and coordinated by the national group for coordination of education. During 2012, special attention was paid to the quality of education.



Picture: Reetta Aho

The average ratings in the appraisal gathered on education went up from the previous year and were around 4 on a scale of 1 to 5.

All new inspectors get a basic education that takes about six months. It consists of nine contact teaching periods of 3 to 4 days. The studies also include independent work and orientation at the person's workplace. During 2012, there were four basic education courses. One of these was tailored to inspectors for contractor's liability and foreign labour.

The unit also arranged 17 training events to support personnel in achieving the performance targets. In addition, the unit planned the contents and programmes for nine training modules for use by personnel in the OSH Divisions. There were over 20 training events for users of the Vera enforcement data system.

The reforming of the OSH administration's educational system continued in 2012. The new educational system will include a basic education for different staff groups, advanced education in the several special areas and contents of occupational safety and health, as well as training in current topics and issues. Planning the content of the advanced studies

started from a few special areas such as occupational accidents research, enforcement of employment law and enforcement of law.

Communication

The OSH Divisions' support services unit is responsible for the Divisions' joint communication. The communication is directed by the national coordination group. The Divisions also carry out regional communication.

In 2012, a communication policy for the OSH Divisions was outlined for the framework agreement period 2012–2015. The OSH administration's core messages were also defined in the policy. (Figure 2)

The Divisions' joint external communication is carried out through workplace bulletins and media releases. Workplace bulletins are published in the OSH administration's network service at www.tyosuojelu.fi, media releases are distributed through the media release service of the Regional State Administrative Agencies.



Figure 2. The OSH Divisions' core messages during the framework agreement period 2012–2015

The net service at tyosuojelu.fi is the most important communication channel for OSH administration. There were over one million visits to the website in 2012. Tens of thousands of persons visited the pages. In 2012, a decision was also made concerning the total reform of the network service. The aim is to renew its structure and develop its content taking the user needs into consideration.

Ts-nyt, the paper for personnel and stakeholders, was published five times in 2012. To renew the paper, a reader inquiry was arranged and a reform plan was drawn up.

The guides and brochures intended for use at workplaces are part of the OSH Divisions' communication. Publications can be ordered from the netshop of the publication sales at www.tyosuojelu.fi/julkaisumyynti. The majority of the publications are available in an electronic form.

Occupational safety and health is also made known through the Occupational Safety and Health Exhibition. The visitor gets information and guidance on OSH matters and may, for instance, try out various auxiliaries and personal protective equipment. The popularity of the exhibition has remained stable. There were 171 guided groups in 2012. The exhibition operates nationwide. Besides the permanent exhibition in Tampere, representation in various fairs and exhibitions around the country is essential. The OSH exhibition participated in ten external events in 2012.

During the year, two training events were organised to improve staff communication skills in the OSH administration. One event was intended for the management and supervisors and the other for other personnel. The training of officials was focused on communication used in the context of projects.

ICT systems

The support services unit administers the ICT systems of occupational safety and health. The unit's most important tasks are managing agreements with the systems suppliers, coordinating the maintenance of the ICT systems between the systems suppliers and Ahti, the regional administration's unit for information management services, and giving support to end users in problems with data systems in the OSH Divisions.

During 2012, a technical transfer project on data systems was completed. All occupational safety and health data systems were transferred from the servers of the Ministry to servers maintained by Ahti. No new OSH data systems were taken into service in 2012 with the exception of extending the use of the Vera system. The maintenance of the accident reports register (Taps) ceased at the end of 2012.

Vera ICT system is being developed within the Valtimo project

The aim of the OSH administration's Valtimo development project is to design handy tools to support the key processes of enforcement as well as provide help in the planning and follow-up of enforcement. The objective is also to create electronic services for use by clients.

The parts of the ICT system created within Valtimo - Vera Inspection, Vera Report and Vera eService - are taken into use step by step. The second part of Vera Inspection, enforcement tools, was taken into use in spring 2012. During the year 7 676 inspection reports were compiled by Vera to be submitted to employers.

The third part of Vera Inspection, enforcement data collection, was completed during the year.

The activities of the Department for Occupational Safety and Health

The Department for Occupational Safety and Health at the Ministry of Social Affairs and Health directs the OSH Divisions of the Regional State Administrative Agencies, prepares and develops OSH legislation and policies, and is in charge of international cooperation in the field of occupational safety and health.

Preparation of legislation

Occupational safety and health legislation has been prepared in tripartite cooperation in the Advisory

Committee on Preparation of Occupational Safety Regulations. In the legislative drafting, special attention was paid to fighting shadow economy and improving the effectiveness of enforcement.

The government bill (HE 92/2012) for acts amending the act on taxation procedure and the Occupational Safety and Health Act was submitted to Parliament. The purpose of the bill is to make tax control in the construction industry more effective. The main contractor on a shared construction site should submit the necessary information on persons working on the site to the tax administration for tax control. The OSH

Act should be amended by a provision on the main contractor's obligation to compile and keep a list of employees and self-employed persons working on the site. Employers and self-employed persons should have an obligation to submit information necessary for keeping the list.

The Act on the Working and Living Environment and Catering for Seafarers on Board Ships entered into force in 2012. The act implements the Maritime Labour Convention of the International Labour Organization ILO and the Council Directive of the European Union concerning maritime labour. Consequently, government decrees on the living and working environment and on catering for seafarers on board ships were issued under the act. The decrees brought the requirements on seafarer's living and working environment and catering on board up to date. In this connection amendments were also made to the Criminal Code, the OSH Act and the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces.

Updates were also made to the government decree on back-up alarms for vehicles used at work and to the non-exhaustive list of work tasks dangerous to young persons and of work tasks suitable for the young. In addition, certain regulations and administrative provisions related to lifting of persons were revised.

Commission for conforming the general applicability of collective agreements

The commission for conforming the general applicability of collective agreements reviewed 120 collective agreements in 2012. For 49 of these the commission gave a decision that confirmed their status as generally applicable. At the end of the year there were 162 generally applicable collective agreements. The commission has also ordered Swedish translations for 96 generally applicable collective agreements. The generally applicable collective agreements are published in the government legislation database Finlex.

Direction of enforcement

The OSH Department of the Ministry of Social Affairs and Health directs the activities of the regional OSH administration by means of performance management and other guidance. This direction aims to ensure the effectiveness and uniform quality of enforcement activities.

Performance management

The performance management covers objectives and appropriation for the OSH Divisions' activities. It also includes follow-up and reporting of the activities. The Ministry agrees with the Divisions on objectives for OSH enforcement for the next four years. This framework agreement is specified by annual operative performance agreements.

The government programme highlights two significant OSH policy issues: extending work careers and fighting shadow economy. These issues have been taken into account in the Divisions' framework plan for the years 2012–2015. On the basis of the framework agreement, objectives for 2012–2015 and for 2012 have been agreed in performance negotiations with the OSH Divisions.

To achieve the desired social impact in the Ministry's administrative field, the performance targets of the subordinate administration are coordinated in the OSH Department. Thus the OSH Department participated in the preparation of performance agreements for the Finnish Institute of Occupational Health (FIOH), the Finnish Radiation and Nuclear Safety Authority (STUK), the National Institute for Health and Welfare (THL), and for the division of basic public services, legal rights and permits of the Regional State Administrative Agencies.

Other guidance

The OSH Department gives guidelines on enforcement to the regional OSH administration. The purpose of the guidelines is to harmonise and improve the quality of enforcement and promote the effective use of the resources. These operative enforcement guidelines are focused on the inspector's work and responsibilities. Each of them defines what to inspect and what

obligations may be imposed on the employer. The aim of the guidelines is to ensure that the proportion of improvement notices to the number of inspections is the same in the whole country and that similar cases are handled in the same way.

Two types of guidelines were given in the year 2012, one dealing with employment discrimination and the other dealing with control over the use of foreign labour. All approved guidelines are available from the OSH administration's net service at www.tyosuojelu.fi/fi/valvontaohjeet.

Under the guidance of the OSH Department, the OSH Divisions continued to carry out actions that have been proposed by the OSH administration's resources working group and agreed in a tripartite procedure. The most important actions included verifying the impact of enforcement and harmonising the exercise of competence.

Preparation and development of occupational safety and health policy

The preparation of OSH policy is guided by the strategy of the Ministry of Social Affairs and Health, Socially Sustainable Finland 2020, and by the policies for the work environment and well-being at work until 2020 adopted by the Ministry. In addition to the OSH Department's own activities, in 2012 authorities started national cooperation projects with OSH promoting themes successfully incorporated into the projects' content and activities.

One central project is the Forum for Well-being at Work, which seeks to find various ways for promoting well-being at workplaces. Based on the government programme, the objective is to establish the forum as a permanent network. The forum has especially encouraged small and medium-sized enterprises

to participate in its activities, given support to the Zero accidents forum and strengthened the network communication by the service at www.tyohyvinvointifoorumi.fi. Actions for preventing occupational diseases and health-hazardous work-related strain have been started especially concerning chemical exposure and unfair treatment in the workplace.

The Leadership development network in accordance with the government programme was also initiated in 2012. This network, which is steered by the Ministry of Social Affairs and Health and coordinated by the Institute of Occupational Health, collects and disseminates information on good management practices and supervisory skills for workplaces.

In 2012 the OSH Department had an active role in the preparation of working life policies and investigations under the direction of the Ministry of Employment and the Economy. The most important of these was the National Working Life Development Strategy to 2020. The OSH Department is responsible for the coordination of the Working life 2020 project in the administrative field of the Ministry of Social Affairs and Health. This project is associated with the implementation of the National Working Life Development Strategy to 2020.

Other current themes in 2012 were extension of work careers, violence at work, persons with partial work capacity and occupational health care. The OSH Department has prepared OSH policy positions on these themes for the minister and the Ministry.

The role of anticipation is more marked than ever when OSH policies are planned and developed. To improve the impact of OSH operations, the planning of actions must start from an adequately broad knowledge base. This can be achieved by cooperation with stakeholders, a more systematic monitoring and analysis of the operating environment, and by coordinating project and development activities. All this aims at achieving the common goals.

OSH administration's resources

In 2012 the OSH Divisions had 421 person-years in their use. The personnel's average age was 49.7 years. The person-year figure includes the number of inspectors recruited by the additional appropriation granted by Parliament for fighting shadow economy.

Personnel competence was developed systematically by following the advance plans closely. Personnel's competence was enhanced especially in the central priorities of enforcement. There was an average of 6.7 training days per person-year in 2012. About 87 per cent of the personnel took part in this training. Viable

methods and practices were available and successfully used in the orientation of new personnel.

The results of a job satisfaction inquiry to the personnel showed an index of 3.41 for the OSH Divisions. The results have been analysed together with the personnel and necessary measures have been taken together with occupational health care staff with a view to ageing personnel.

The number of person-years in the OSH Department was about 67 in 2012. The personnel's average age was 51.7 years. There was an average of 4.9 training days per person-year.

Table 4. Personnel parameters for the OSH Divisions at the Regional State Administrative Agencies

OSH Divisions	2011	2012
Person-years*	411	421
Average age of employees	50,1	49,7
Job satisfaction index	3,43	3,41
Exit turnover %	9,1	9,1
Sick days /person-year	10,5	10,2

* Staff recruited by funds allocated to the OSH Divisions' operating expenditure
Source: OSH Divisions' annual reports



Picture: Jarmo Lumme

Inspectors for the construction industry from the Regional State Administrative Agency for Western and Inland Finland examined the protective fencing of a drain in Tampere.

Table 5. Personnel parameters for the Department for Occupational Safety and Health at the Ministry of Social Affairs and Health

OSH Department	2011	2012
Person-years	66,4	66,5
Average age of employees	52,6	51,7
Job satisfaction index	69,4	-*
Exit turnover %	9,3 **	12,7
Sick days /person-year	10,3	7,6

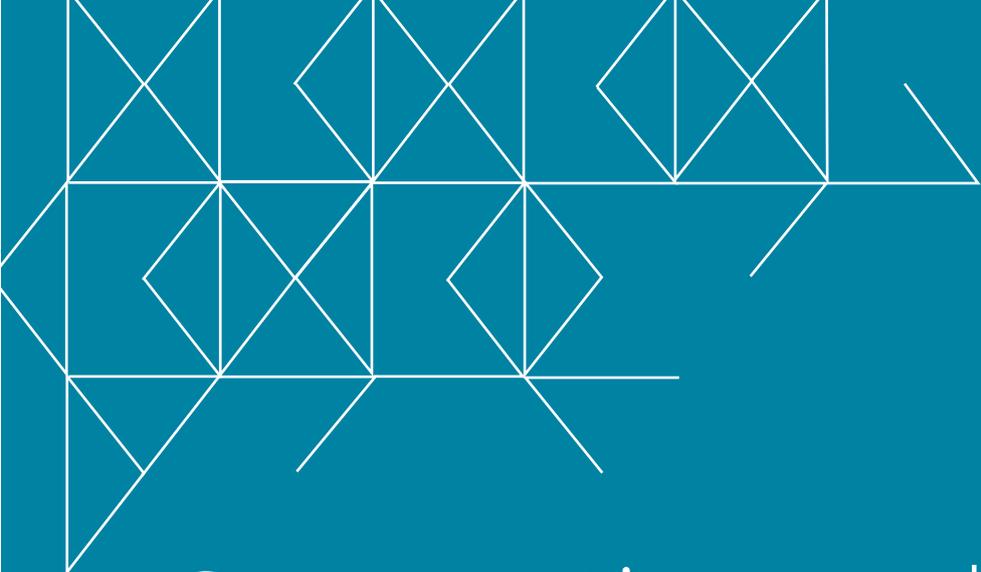
Source: Ministry of Social Affairs and Health

* Job satisfaction inquiry is conducted at intervals of two years in the Ministry..

** All Ministry

The OSH Divisions had an appropriation of 27 720 000 euros in the budget of 2012 to be used for operating expenditure, and 6 566 000 euros from it were transferred to the following year. An appropriation of 5 060 000 euros was transferred from the year 2011 for use by the Divisions. The Regional State Administrative

Agencies paid the OSH Divisions' expenses for their premises and customary office services. The OSH Department's appropriation for operating expenditure was 4 668 000 euros in 2012. About 80 per cent of the money was used for the personnel's salaries.



Cooperation and networking

National cooperation

Occupational safety and health activities are based on versatile cooperation. The different OSH actors support the achievement of OSH objectives through their own activities. In 2012 the OSH administration acted in close cooperation with **labour market organisations and other central stakeholders**.

Cooperation on the national and regional level was carried out within various working groups and projects. A good example of this cooperation is the national municipal project carried out together with the Centre for Occupational Safety, KT Local government employers and the main contracting organisations in the municipal sector.

Cooperation with other enforcing authorities was continued in the same way as previously. Operations for fighting shadow economy have increased cooperation between OSH Divisions and **the police and the tax administration**. The legislative reform aimed at improving OSH authorities' rights to get information enables an ever more diversified cooperation between authorities. As working life is becoming more and more international and situations in foreign enterprises need

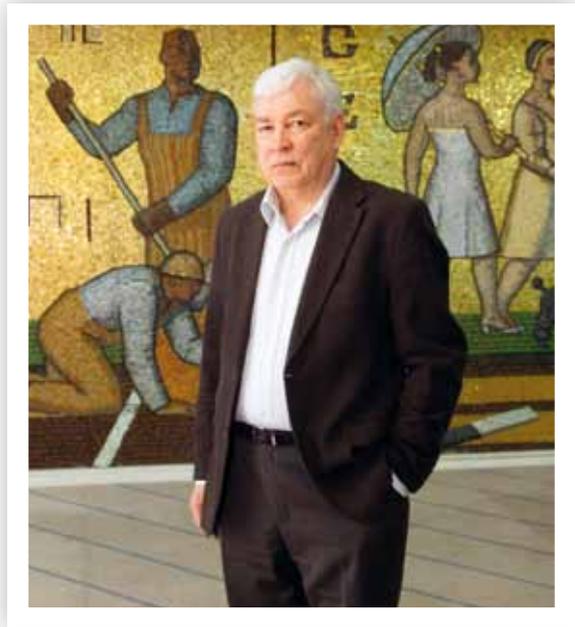
investigation, Finnish authorities increasingly resort to information exchange between EU countries to get the necessary information.

OSH Divisions had cooperation with **municipal authorities** mainly in the form of information exchange related to fire safety, chemicals control, enforcement of tobacco legislation and monitoring of the construction industry.

The Ministry of Social Affairs and Health is responsible for the performance management of **the Finnish Institute of Occupational Health** and carries out annual negotiations on performance targets with it. The OSH Department is responsible for preparing the performance targets related to well-being at work in cooperation with the Ministry's Department for Promotion of Welfare and Health.

During 2012, the Institute of Occupational Health in accordance with the performance agreement gave the OSH administration expert support in legislative preparation, targeting enforcement, assessment of the impact of enforcement, publishing and training operations, and in several national and EU-level working groups. The Institute of Occupational Health also

KT Local government employers has contributed to shifting the focus of OSH enforcement towards project-type enforcement. The background to cooperation in the municipal project is provided by positive experiences from the similar type of project on health care accomplished in 2004 - 2007. It is possible to achieve at least two kinds of effects by project-type enforcement operations: the impact of enforcement increases and the procedures can be harmonised for the different parts of the country, and on the other hand, the work communities get valuable information for developing their activities. Creating and maintaining an atmosphere of trust between the different project partners as also the municipal actors' confidence in those carrying out the project is essentially important in this kind of partnership-like project with several actors. Cooperation and the importance of joint discussion are in focus because each actor brings their point of view into the project. Experiences from the cooperation and reconciliation of the different points of view have been positive.



Picture: Seppo Haavisto

*Markku Roiha, Labour Market Adviser,
KT Local government employers*

carried out certain operative functions in the Forum for Well-being at Work coordinated by the Ministry of Social Affairs and Health. It also participated in the planning and conduct of the Forum for Well-being at Work and of the Leadership development network in accordance with the government programme.

OSH Divisions acted in cooperation with the Finnish Radiation and Nuclear Safety Authority when monitoring radon concentrations at workplaces. In monitoring occupational health care, the Divisions had cooperation with the division of basic public services, legal rights and permits at the Regional State Administrative Agencies.

International cooperation

OSH administration carries out international cooperation by participating in the activities of diverse working groups and in information exchange on various forums. Visits and introductory events between the Finnish OSH authorities and OSH administrations in other countries are also part of international cooperation.

European cooperation

Officials of the Ministry took part in the functions of working groups subordinate to the European Commission and in the work of other European working groups in 2012.

The Advisory Committee on Safety and Health at Work in connection with the European Commission deals with questions of occupational safety and health on a tripartite basis. Under the Committee there are tripartite working groups in which the OSH Department has representation. Legislative cooperation in these working groups has been comprehensive and versatile. In 2012 the European Commission appraised the Community strategy 2007–2012 on health and safety at work. In the Advisory Committee the Finnish OSH administration has emphasised the need to prepare a new strategy for 2013–2020. The ergonomics directive, written risk assessment and the labour market parties' agreement on safety in the hairdressing sector were also prominently figured.

The preparation of the directive on electromagnetic fields continued in 2012. The directive lays down minimum requirements concerning the protection of workers from the risks arising from exposure to electromagnetic fields.

Finland has been very active in the preparation of the directive, especially in the Council working group on social questions. Key factors in the successful preparation work have been the national network cooperation and the very high expert competence and its effective utilisation in Finland.

The Senior Labour Inspectors' Committee SLIC is a cooperation body for the occupational safety and health authorities of the EU member states. It acts in connection with the European Commission. Officials

from the OSH Department participated in the Committee cooperation in its working group on enforcement and in the Machex working group on machines and personal protective equipment. European enforcement cooperation was carried out through a monitoring campaign related to psycho-social risks. A senior adviser from the OSH Division at the Regional State Administrative Agency for Southern Finland took part in the evaluation of the Spanish OSH administration. Three inspectors from France familiarised themselves with OSH enforcement in Finland for two weeks.

OSH authorities may put questions to each other through SLIC Knowledge sharing site (KSS), which was developed for information exchange between the European OSH authorities. In 2012, 38 questions were sent through the network. One of these came from Finland. The questions concerned diverse aspects of OSH enforcement. Two warnings to be taken into account in labour inspection were disseminated through the network. Both of them concerned dangerous products.

The EU project on enforcement of the posted workers legislation, which started in autumn 2012, aims at improving the cooperation between authorities and labour market organisations in the member states both on the national and international level. The project focuses on construction and agriculture in particular.

The project is conducted in three groups of countries. Finland belongs to the same group as Estonia and Poland, countries from where a great number of posted workers come to Finland.

Other European working groups where officials from the OSH Department were engaged in are the machinery committee, the posted workers committee as well as the ADCO working groups for administrative cooperation on machinery and personal protective equipment.

The strategy of the European Agency for Safety and Health at Work was implemented on the national level under the coordination of the Bilbao section of the Advisory Committee on Occupational Safety and Health. The campaign "Working together for risk prevention" sought to strengthen the workplaces' risk management competence.

Nordic cooperation

The Ministry of Social Affairs and Health has representation in the Nordic Committee of Senior Officials for Labour and in the Nordic Working Environment Committee, which are permanent cooperation bodies in the field of working environment and subordinate to the Nordic Council of Ministers. The Ministry also has a representative in the Nordic Chemical Group.

Actions for improving the working environment and well-being at work were taken mainly in terms of projects. Officials from the OSH administration participated in several projects and working groups of the Nordic Working Environment Committee.

OSH authorities arrange a Nordic working

environment conference every second year. In 2012 the conference was organised in Trondheim. The conference theme was "New working life: Young workers and new challenges".

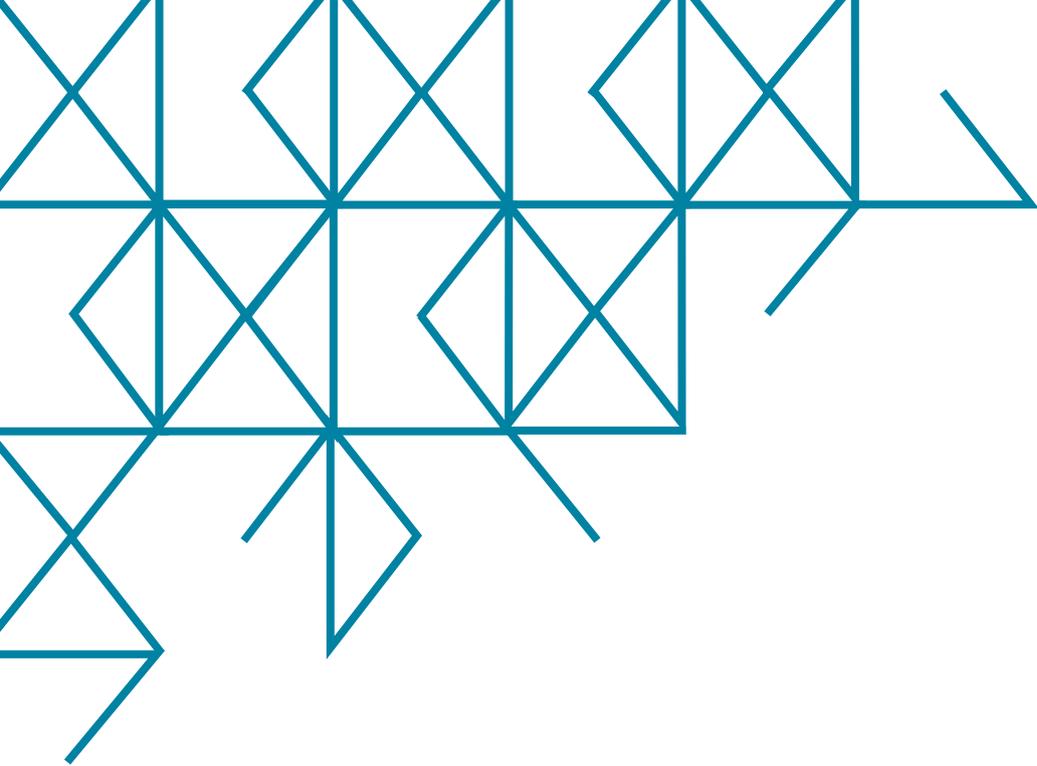
The directors of the Nordic OSH administrations meet annually to discuss current issues. In the spring the directors met in Helsinki and in the autumn in Reykjavik.

In 2012–2013, Finland chairs the **Northern Dimension Partnership in Public Health and Social Wellbeing (NDPHS)**. NDPHS has conducted a mid-term evaluation of the strategy Health at Work and an investigation of occupational health care in the member countries in 2012.

Appendix 1

Activities of the OSH administration in numbers (until 2009 the information concerns the labour inspectorates)

Workplace inspections	2008	2009	2010	2011	2012
Number of inspections	20 477	19 916	20 072	22 283	22 500
Number of workplaces inspected	14 717	14 618	14 162	15 983	18 700
Time used for one inspection at the workplace, average number of hours	2,1	2,0	2,0	1,6	1,6
Written advice and improvement notices					
Written advice	35 613	37 109	37 337	38 376	42 450
Improvement notices	5 729	5 072	5 750	6 304	6 420
Coercive measures					
Prohibition notices confirmed by the OSH Division	39	40	14	38	42
Prohibition notices unconfirmed by the OSH Division	14	6	8	9	2
Binding decisions	168	184	218	200	210
Number of payments for negligence of contractor's liability	99	99	53	30	59
Investigation requests and statements					
Investigation requests to the police	331	366	287	367	425
Statements to the police/prosecutors	547	522	710	805	855
Demand for services					
Client contacts/total volume of service demand	85 027	78 103	56 087	52 905	60 200
- employment relations matters	45 350	44 638	9 254	30 359	30 900
- working environment matters	33 833	26 736	15 549	20 140	23 200
- demand for other services	6 036	5 679	1 284	2 405	6 100
Inspections on request/number of inspections	3 357	2 766	1 719	1 405	1 955
Client-initiated training events, number			224	208	222
Investigation of occupational accidents and occupational diseases					
Occupational accidents investigated	856	700	725	731	740
Occupational diseases investigated	47	29	25	62	75
OSH Divisions' licence administration					
Asbestos licences	31	25	36	35	21
Exemptions related to working hours	204	195	149	137	369
Personnel (person-years)					
OSH Department	76	71	69	66	66
OSH Divisions	448	446	418	411	421
Economy					
Operating expenditure of the OSH Department (1 000 euros)	4 784	4 713	4 413	4 595	4 548
• salaries and feest	4 226	4 117	4 026	4 024	4 135
• travels	212	233	171	152	166
• consumption expenditure	346	363	216	418	246
Operating expenditure of the OSH Divisions (1 000 euros))	27 004	28 424	24 543	24 237	26 157
• salaries and feest	20 502	21 513	21 181	20 980	22 363
• travels	1 261	1 336	1 198	1 175	1 322
• consumption expenditure	5 241	5 575	2 164	2 082	2 472



The Occupational Safety and Health Administration in Finland

