

Controlling contractors: Finland, Macedonia and Malta

(May 2011) Controlling the pay and conditions used by contractors is crucial both to protect their employees and to prevent the use of outsourcing to undercut the jobs, pay and conditions of public employees ([Read > Protecting workers in PPPs, October 2008](#)). Despite demands from employers, courts and politicians to weaken these rules, progress is being made in some countries.

In Finland, the trade unions have been vigorously demanding tighter regulation for some years. In November 2010, there was cross-party support in the Finnish parliament for a motion calling for stronger legislation, and the Ministry of Labour set up a task force to prepare legislation “to increase the responsibility on the contractor throughout the entire subcontracting chain”. The Central Organisation of Finnish Trade Unions (SAK) published a list of 25 points to be included in such legislation, including powers for trade unions to enforce new laws through the courts.

In September 2010 Macedonia ratified ILO Convention 94, which commits the country to requiring contractors of the public authorities to observe pay and conditions comparable to those set out in collective agreements for public sector workers. The government agreed to do this following pressures from the unions, supported by the ILO itself. One stated objective of the ILO’s ‘Decent Work’ programme in Macedonia was to strengthen the application of international labour standards, including the ratification of convention 94.

In Malta, the General Workers Union persuaded the government in 2011 to include clauses on pay and conditions in tendering for security workers. The tender documents include clauses laying down the minimum salary and working conditions of the wardens, and the evaluation criteria includes positive points allocation for the quality of working conditions.

At European level, EPSU continues to demand that procurement laws should allow for social clauses enforcing decent work practices on contractors. Despite

reluctance on the part of the European Commission, the European parliament has published helpful reports ([Read more at > EPSU](#) and at > EPSU-><http://www.epsu.org/a/7292>]) .

Key points:

- Progress can be made at national level
- Legislation, adoption of international standards, and negotiations can all be used

Sources:

- [Read more at > ILO Decent Work programme for Macedonia](#)
- [Read more at > Times of Malta, 26th January 2011, Working conditions of wardens set in call for tenders](#)
- [Read more at > Grey economy issues now receiving much attention](#)
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