

Finland's situation in the state of emergency caused by the coronavirus (26 March)

State of Emergency

The Finnish Government, in co-operation with the President of the Republic, has declared a state of emergency in Finland due to the coronavirus outbreak. On 16 March, the Government announced additional measures aimed at slowing the spread of the coronavirus and protecting vulnerable groups. The measures are in force until 13 April 2020. The Government will implement the measures in accordance with the Emergency Powers Act, the Communicable Diseases Act and other legislation.

On 17 March, the Government submitted two enforcement decrees for the Emergency Powers Act to Parliament. The decrees specify the provisions of the Emergency Powers Act that are now being enforced.

The Finnish Parliament adopted two decrees to implement the Emergency Powers Act. The decrees in force concern municipalities' right to deviate from time limits for non-urgent healthcare and temporary derogations from the Annual Holidays Act, the Working Hours Act and the Employment Contracts Act. In addition, the sale of medications, goods and services used in healthcare may be limited.

For one decree, concerning limits set on early childhood education and care, The Constitutional Law Committee decided to allow more time for its work and has not given the decree its final approval. Now, however, Prime Minister Sanna Marin has launched preparations for this third decree. The Government will complement its proposal with respect to the obligation to work. The enforcement decree for the Emergency Powers Act concerning special social and healthcare arrangements is essential to ensure that social and healthcare personnel have no choice but to go to work. The Constitutional Law Committee sees a problem with the decree in that the status and the rights of those who are under obligation to work are unclear. Other clauses are expected as a Government proposal on the Emergency Powers Act to Parliament.

Lay-offs in Municipalities

The Finnish Government's guidance for municipalities has been weak. It has become clear that the Government does not have information on how many municipalities have established crisis response groups. This matter has come to light especially now that municipalities are initiating co-operation negotiations to temporarily lay off personnel. JHL has sent a petition to the Prime Minister and local government ministers and directors requesting that the co-operation negotiations cease and that a personnel bank be established in order to ensure that hospitals are sufficiently staffed. We state in our petition that employees who are terminated or laid off might not be available to work in hospitals if there is a shortage of employees.

A personnel bank would guarantee that hospitals have the necessary professionals available. This battle against coronavirus will not be resolved by doctors and nurses alone: hospital maintenance employees guarantee safety, food service employees guarantee energy and recovery after illness, electricians and equipment maintenance employees guarantee the operation of ventilators, and logistics employees make sure that the hospital has the protective clothing and other medical equipment it needs.

Social partner's proposal to the Finnish Government

All sectors throughout Finland have started co-operation negotiations. Together with the central labour market organisations, the Finnish Government has created a support package for companies' business operations and employment and social security. The weakened labour legislation mainly applies to the private sector. Speeding up the granting and payment of social security benefits also concerns employees in the public sector. The Government is in the process of preparing legislative proposals on these. In terms of labour legislation, the weakened terms will not be incorporated into the law, but will instead be negotiated into collective agreements. The main points of the agreement reached by the Finnish Government and the labour market organisations are listed below:

- Temporarily reduce employers' pension contributions by 910 million euros
- Deferral of TyEL insurance contribution payments
- Temporarily increased labour law flexibility for the private sector until 31 December 2020
- Reduction of the minimum negotiation times in the Act on Co-operation within Undertakings
- Extending the right to lay off employees to fixed-term employment contracts
- Shorten the lay-off notice period
- Clarify the option to lay off employees before the conclusion of co-operation negotiations
- State to assume the obligation to pay remuneration in exceptional circumstances
- Expand the right to cancel a trial period
- Extension of the re-employment obligations

Movement restrictions

Movement within Finland has been restricted, and citizens' freedom to move is being restricted further. Children in grades 1 to 3 and children whose parents work in tasks critical to the crisis have the right to education organised in schools. Children whose parents work in critical fields have the right to early childhood education on school premises. Otherwise, children must study from their homes.

25 of March the Government proposed restrictions on movement between the Helsinki region and the rest of Finland. Most people will not be allowed to move between Uusimaa region and the rest of Finland for at least three weeks after the Government announced wide-ranging and much-trailed restrictions designed to slow the spread of coronavirus.

The move went to parliament on Wednesday evening and is slated to come into force on Friday 27 March.

Uusimaa's epidemic is at a more advanced stage than that in other parts of the country, necessitating the banning of travel from the southern region to the rest of the country.

The Government is also proposing to use emergency legislation to enforce the rules, which will also mean restaurants, bars and pubs need to prevent customers from entering their premises.

Safety of employees

Employees' occupational safety has been an especially great concern for trade unions. For instance, in schools and early childhood education, work is being carried out without protective equipment. In hospitals, at least in one major hospital district, it is difficult to obtain hospital equipment, because they have been outsourced to a private company and, due to the pandemic, the company cannot supply the equipment.

In Finland, the National Emergency Supply Agency^{*)} has opened its stockpiles. It contains food, medications, medical equipment and supplies.

^{*)} The National Emergency Supply Agency (NESA) is an organisation working under the Ministry of Economic Affairs and Employment. It is tasked with planning and carrying out measures related to developing and maintaining security of supply in Finland. NESA operates under the oversight of its Board of Directors.

The agency operates under the auspices of the National Emergency Supply Fund – an extra-budgetary fund used to finance state-owned stocks and a number of auxiliary arrangements undertaken to secure the technological infrastructure.

Private-public partnership is the primary method for securing security of supply. Collaboration between government administration and the business community is decisive in the maintenance of security of supply. NESA supports such co-operation by, for example, developing continuity management tools for enterprises and providing associated training, organising shared drills for enterprises and public bodies, and steering and supporting the operation of the pools and sectors.

Technical systems are vital for security of supply. Together with other government authorities and the business community, NESA is charged with ensuring the continuity of national critical infrastructure and services under all circumstances. For this reason, NESA plans and finances various redundancy and auxiliary arrangements for information systems, data communications, financial services, and mass communication, for example.

NESA supports the production of necessary goods and services. NESA implements technical and financial measures to support the production of goods and services necessary in exceptional conditions, as well as those supportive of military defence. To that end, NESA co-operates with the Finnish Defence Forces.

Compulsory stockpiles and security stockpiles must be maintained. The purpose of holding obligatory stockpiles is to guarantee supply of import fuels and pharmaceuticals in the event of a major disruption in their availability. The purpose of holding security stockpiles is to ensure the population's livelihood and the continuity of industrial production in the event of disruption in the availability of necessary raw materials and goods. NESA has been assigned the practical duties associated with holding such stockpiles.

State-owned stockpiles have fundamental importance. The state holds stockpiles of materials necessary to ensure the population's welfare and the functioning of the economy in the event of major crises. The state-owned stockpiles are used to maintain viable production of energy, food, and health-care services or for military purposes. NESA is tasked with maintaining these stockpiles.