

Translation from Finnish  
Legally binding only in Finnish and Swedish  
Ministry of Economic Affairs and Employment, Finland

Act on Confirmation of the General Applicability of Collective Agreements  
(56/2001; amendments up to 949/2011 included)

Committee for confirming the general applicability of collective agreements  
Section 1 (757/2011)

*Function of the committee*

- (1) The committee for confirming the general applicability of collective agreements confirms, by its decision, whether a national collective agreement supplied to it under section 2 of the Collective Agreements Act (436/1946) is representative in its sector of application in the way referred to in Chapter 2, section 7(1) of the Employment Contracts Act (55/2001) or in Chapter 2, section 6(1) of the Seafarers' Employment Contracts Act (756/2011).
- (2) The committee shall ensure that each generally applicable collective agreement is published in either Finnish or Swedish and as a translation into the other of the two national languages. (949/2011)

Section 2

*Composition and appointment of the committee*

- (1) The committee has a part-time chairperson and two other part-time members, each with a personal deputy. The chairperson and his/her deputy shall possess the qualifications required for the office of judge and they and the other members shall be familiar with contractual employment relationships and working conditions. The chairperson of the committee and the other members and their deputies shall be chosen from among persons that cannot be viewed as representing either employer or employee interests.
- (2) The members of the committee are appointed by the Government for five years at a time. The committee operates in connection with the ministry responsible for occupational safety and health matters. The committee acts independently in its tasks.
- (3) The resignation of a member or deputy member from the committee shall be affirmed by the Government. The Government at the same time shall appoint a successor to the member or deputy member for the remaining term, following the procedure laid down above in this section.
- (4) The Government can remove a committee member from membership of the committee only if he/she no longer fulfils the qualification requirement laid down in subsection 1.
- (5) The committee elects part-time secretaries. A secretary presenting matters to the committee for decision shall have the qualifications required for the office of judge.
- (6) The committee approves its own rules of procedure.

Section 3

*Committee's power of decision and decision making*

- (1) The committee is convened at the invitation of the chairperson. The committee is quorate when the chairperson or his/her deputy and two members or their deputies are present.
- (2) The committee makes its decisions on the basis of presentation. If there are dissenting opinions in the committee when a matter is to be decided, the matter shall be decided by vote following the same procedure as in a collegial court.
- (3) The committee is entitled to consult experts. Notwithstanding secrecy provisions, the committee is entitled to obtain from other public authorities information necessary for making a decision concerning confirmation.
- (4) Committee decisions are signed by the chairperson of the meeting and countersigned by the presenting officer.

## Confirming the general applicability of a collective agreement

### Section 4

#### *Initiating and handling a matter in the committee*

- (1) The committee shall consider a matter concerning confirmation of general applicability when the collective agreement concerned and the information referred to in section 2(2) and 2(4) of the Collective Agreements Act have been supplied to the ministry in charge of occupational safety and health matters.
- (2) The Administrative Procedure Act (598/1982) applies to the handling of matters by the committee.

*The Administrative Procedure Act (598/1982) was repealed by the Administrative Procedure Act (434/2003).*

### Section 5 (757/2011)

#### *Date of application of a generally applicable collective agreement*

- (1) In confirming the general applicability of a collective agreement, the committee shall specify that the agreement will apply as of the date on which it enters into force.
- (2) If the general applicability of a collective agreement is confirmed at a time other than in connection with the agreement's entry into force, the date from which the general applicability of the agreement is to apply can be specified as a date later than that laid down in subsection 1 if there are reasonable grounds.

### Section 6

#### *Validity of general applicability*

Decisions concerning the general applicability of collective agreements for each sector are valid until the committee decides otherwise under section 7 or the Labour Court decides otherwise under section 9.

### Section 7

#### *Reconsideration of a matter by the committee*

- (1) Once a decision of the committee has become final, any person entitled to appeal under section 10 may submit a written application asking for reconsideration of the matter concerning confirmation of general applicability. The application must demonstrate that substantial changes have taken place in the preconditions for confirming the collective agreement.

- (2) The committee can also, ex officio, reconsider a matter related to confirmation of the general applicability of a collective agreement in situations referred to in subsection 1.

## Section 8

### *Publication of committee decisions*

The committee shall publish its decisions referred to in section 1 in the Official Gazette without delay.

## Appealing against a decision of the committee

### Section 9

#### *Appellate authority*

An appeal may be made against a decision of the committee for confirming the general applicability of collective agreements by submitting a written appeal to the Labour Court as laid down in this Act and in the Act on the Labour Court (646/1974).

### Section 10

#### *Right of appeal*

Those with the right of appeal are the parties to the collective agreement concerned and the employer and employee organisations which become party to it later, each separately, and any employer or employee whose legal standing in a contractual employment relationship depends on the general applicability of the collective agreement.

### Section 11

#### *Appeal period*

Appeals shall be submitted within 30 days of publication of the committee decision as referred to in section 8. Appeals shall be submitted to the committee, which shall pass on the appeal documents and its own statement on the appeal to the Labour Court.

## Miscellaneous provisions

### Section 12

#### *Urgency in handling matters*

A matter concerning confirmation of the general applicability of a collective agreement shall be handled with urgency by the committee and the Labour Court.

### Section 13

#### *Supplying decisions to the regulations collection*

- (1) Legally final decisions of the committee for confirming the general applicability of collective agreements and decisions of the Labour Court concerning confirmation of general applicability shall be published without delay in the collection of regulations maintained by the Ministry of Justice referred to in section 6 of the Act on the Regulations of Ministries and other Government Authorities (189/2000) in the manner provided in the Government Decree on the Regulations of Ministries and other Government Authorities (259/2000).
- (2) The supply of decisions to the regulations collection is the responsibility of the committee for confirming the general applicability of collective agreements, to which

the Labour Court shall send its decisions. The committee shall also supply to the regulations collection information on where a collective agreement confirmed as generally applicable has been published as provided in section 14, and on the possibility to obtain additional information on the agreement in Finnish and Swedish.

#### Section 14 (949/2011)

##### *Publication of a collective agreement confirmed as generally applicable*

The committee shall make a collective agreement confirmed by a legally final decision as being generally applicable publicly available in a list of generally applicable collective agreements in a public data network, free of charge in Finnish and in Swedish. Similarly, information shall also be made publicly available about access to additional information on the generally applicable collective agreement in Finnish and Swedish from the committee for confirming the general applicability of collective agreements.

#### Section 15

##### *Fees*

The fees of the members of the committee shall be confirmed by the ministry in charge of occupational safety and health matters.

#### Section 16

##### *Entry into force*

This Act enters into force on 1 June 2001. Measures needed to put the Act into effect may be taken before it enters into force.

#### Section 17

##### *Transitional provisions*

Decisions concerning confirmation of the general applicability of collective agreements effective when the Act enters into force shall be made by the committee within 18 months of the date on which the Government appoints the committee.