

THE RECRUITMENT AND EMPLOYMENT OF FOREIGN EMPLOYEES

- A GUIDE FOR EMPLOYERS AND FOREIGN EMPLOYEES

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INTRODUCTION

This guide has been written for employers who are planning to or have already recruited employees from abroad. Companies are often not sufficiently informed on how to recruit foreign labour, and, therefore, find the process difficult, resulting ultimately in the abandonment of the idea or an unsuccessful recruitment effort. The aim of this guide is to facilitate the process for both the employer and the employees. It aims to assist foreign employees in adapting to the country, and to provide them with access to information regarding employment and life in Finland. The guide may also prove helpful to foreign businesses operating or initiating operations in Finland, and other organisations looking to recruit foreign workers. The information found in this guide was collected from a number of authorised local and state sources and combined to form a concise and unique format. This English version of the guide is intended for the use of employees and employers who may not have a mastery of the Finnish language. Unfortunately, the text is not yet available in any other language.

2. Recruiting employees from abroad

The freedom of movement within the EU states is one of the basic freedoms guaranteed by EU legislation, and includes the right to live and work in any other EU member state. It also incorporates the right to equal treatment and absolute indiscrimination. For employers, this signifies the right to utilise the recruitment services of the Finnish labour administration in the search for employees from countries within the EU/EEA area*. The employment office can only assist employers looking to recruit from within the EU internal market region, since the movement and employment of nationals in countries outside of this region are restricted. In terms of foreign recruitment, the activities of the employment authorities is guided and regulated by international agreements, national legislation and sovereignty.

Foreign recruitment may also involve the recognition of qualifications, whereby professional qualifications and degrees earned abroad are given decisions of recognition in Finland. This process determines the qualification level of the foreign degree within the Finnish labour market, and may also determine the right to practice a specific profession.

*Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Iceland, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, the Netherlands, Norway, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom. Also Switzerland with an agreement of free movement.

2.1 Eures

EURES (EUROpean Employment Services) was established to serve employers and to help jobseekers looking to work abroad. EURES operates within the EU/EEA area, in which EU nationals have the right to the freedom of movement. The EU/EEA area is the common labour market region of the European Union, and the EU seeks to promote the cross-border movement of the European labour force within this area. The EURES network includes the public labour administrations, employer and employee organisations, chambers of commerce, and universities in the EU member states. EURES is both an Internet service and a personal recruiting service based on a network of EURES advisers. There are nearly 700 EURES advisers in the EU/EEA area. In Finland, EURES advisers can be found in all major cities. In Turku, there are three EURES advisers, of which one, the author of this guide, is specialised in serving the employers of southwestern Finland.

EURES' European Job Mobility Portal – www.eures.europa.eu - provides information on living and working abroad, and on the labour market situation in the EU/EEA area. This information may prove helpful to employers who are looking to begin the recruitment process, but they may also opt to personally contact

their nearest EURES adviser, who is an expert on the European labour market. The Portal also provides a CV bank from which employers can search for suitable job applicants.

Employers also have unlimited access to utilise and advertise in the EURES job vacancy database on the Finnish labour administration's website (www.mol.fi). If the employer wants to specifically market a position to European jobseekers, the job can be marked with an EU flag and be published in the EURES listings at the top of the list for each country. Employers who have entered into an online network agreement with the employment office are able to choose for themselves whether or not they would like to advertise a vacancy using an EU flag.

The European Union supports the EURES organisation by maintaining electronic services, providing basic and further training to EURES advisers, and partially financing EURES activities. The purpose of the European Commission activities is to strengthen co-operation within the EURES advisers' network, promote labour mobility within the EU/EEA area, and to equalize the fluctuation in labour demand and supply within the area. The aim is to create a common European labour market in which regional unemployment and labour shortages would compensate for one another.

2.2 Eures recruitment process

Employers may use the services of EURES as needed, either independently or with the personal assistance of an EURES adviser. As mentioned above, they have free access to the 'Living and Working' database, the CV database and the job vacancy list.

Although an employer may already have its own recruitment channel, there may still be a need for additional information concerning, for example, issues related to foreign employees entering Finland or the application of social security in such situations. EURES advisers can provide employers with individual and case-related information, as well as information about labour availability and qualification levels in the EU area. After receiving all this information, employers are free to decide whether or not to initiate the recruitment process. They may also participate in the recruitment fairs organised by the EURES network.

If an employer decides to initiate the recruitment process with the help of an EURES adviser, the first step is to clarify the job description and the type of employees the employer is seeking. Together, the adviser and employer decide whether the applicants will be sought from a specific country, and which types of application methods will be used. They will also jointly decide in which language the ad-

vertisement should be published and who will do the translation. At this point, the decision will also be made as to whether the applicants will be interviewed, where the interviews will take place and who will carry out the interviews. Upon an agreement for such services, the EURES adviser can be sent to the target country to carry out preliminary interviews on the employer's behalf. The EURES adviser in the target country may also make the preliminary selection and invite the applicants to an interview. It is jointly decided whether the employer, an EURES adviser in Turku or a local EURES adviser will handle the enquiries and acceptance of applications. These practices may differ; however, in different countries.

Once the applications have arrived and the suitable applicants have been selected, the interviewing process may begin either by telephone or video conferencing. The employment office in Turku is equipped with video conferencing equipment for interviewing. An EURES adviser in Turku will set up a video conference with the local EURES adviser. The local EURES adviser is then responsible for trying to arrange the use of video conferencing equipment for the applicants to be interviewed. An employer may also opt to travel to the country in question to conduct the interviews personally. In this case, the local EURES adviser is helpful in arranging the interviews. An EURES adviser from Turku may also travel with the employer to assist with the arrangements. In this case, the employer is responsible for its own travel expenses, and the EURES adviser will pay his/her own expenses.

Once the selection process is completed, the employer and the EURES adviser decide who will notify those who have been selected and those who have not. The EURES adviser provides information about the employee's entry into Finland, registration procedures, and matters related to social security and taxation. This guide also provides an overall look at the important issues for foreign employees that are planning to move to and settle in Finland. For accommodation and other related issues, employees entering Finland can turn to the local EURES adviser or the 'Tervetuloa Turkuun' (Welcome to Turku) office.

The services of the EURES adviser presented in this guide are free of charge for employers. A fee will be charged, however, if the employer requires services which are further tailored to its specific needs, such as arrangements for conducting suitability assessments.

2.3 Recognition of international-qualifications and the europass

The recognition of foreign qualifications signifies a decision on the value of foreign degrees and qualifications within the Finnish labour market or for further studies in Finland.

The Finnish National Board of Education confirms the eligibility of foreign qualifications for civil service posts and positions in Finland. The eligibility requirements for these positions may call for a certain level of education, or specific Finnish qualifications or studies. Generally speaking, a certificate of foreign training, as is, does not always directly confer eligibility, but requires the additional decision of recognition provided by the Finnish National Board of Education. Employers in the private sector may choose to independently evaluate the eligibility of foreign qualifications in their search for suitable job applicants. A decision of recognition from the Finnish National Board of Education is often not required for jobs in the private sector, but it may prove helpful in determining the level of an applicant's qualifications.

In addition to issuing decisions of recognition, the Finnish National Board of Education gives advisory statements on foreign vocational qualifications. These statements do not confer eligibility for civil services posts and positions, but may prove helpful, for instance, in a job search. The statement details the content and level of the training, and provides examples of the types of positions which this particular training qualifies one for in the country in which the training was given.

A decision of recognition may only be issued upon application. The Finnish National Board of Education will only issue a decision of recognition for foreign academic degrees which have been completed in three years or more in an official university, and which are considered to be equivalent to a corresponding academic degree in Finland. In certain cases, a decision of recognition may be granted for a shorter period of training. Each application is handled separately and the decision of recognition is made independently for each case. The decision will also, if necessary, specify any additional requirements, such as supplementary studies or work experience. The recognition of qualifications is not automatic even within the EU, nor is it possible to formulate a set list of equivalencies for the qualifications of different countries. The right to practice a particular profession is granted by the relevant authorities. This

right is required for health care professionals, veterinary surgeons, chartered public finance auditors, chartered accountants, advocates and seafarers. Within the field of health care, certain professions also require certification and registration in the Central Register of Health Care Professionals maintained by the National Authority for Medicolegal Affairs. These professions include public health nurses, physicians and pharmacists. The field of health care in Finland also maintains a list of protected occupational titles.

EUROPASS

The Europass is a tool for all European citizens to assist in demonstrating their knowledge and competence. The Europass documents are in the same format for all of the EU/EEA countries, facilitating the employers' ability to easily compare the education, competencies, language skills and work experience of applicants. The Europass serves as a practical tool for the employer in the international recruitment process, and consists of five documents, including the Europass CV, the Europass Language Passport, the Europass Mobility document, and the Europass Certificate Supplement and Diploma Supplement. More information about the Europass is available on the website of the Finnish National Board of Education at www.oph.fi/europassi.

3. Moving to Finland

3.1 Necessary permits

EU/EEA nationals entering Finland are not required to have a work permit to start working, since the freedom of movement is one of the basic rights within the EU. The freedom of movement and the right to work also apply to the family members of the EU national, including spouses and all children under the age of 21, if the family moves to another EU/EEA country as a result of the employment of the EU national, even if those family members are not EU citizens. Customs officials may require such family members to have a valid visa.

Citizens from outside of the EU/EEA area, known as third country citizens, are required to have a **worker's residence permit**. This does not include foreigners who already have an unlimited or limited right to work in Finland. The worker's residence permit is issued either on a permanent or fixed-term basis. A fixed-term residence permit is granted in accordance with the term of residence as a continuous 'A' permit or temporary 'B' permit. The first fixed-term residence permit is generally granted for a period of one year, even though the employment relationship is considered valid until further notice (permanent). While it is possible to seek an extension to the permit, they can be extended for no more than three years at a time for a person with a continuous residence permit and no more than one year for someone with a temporary residence permit. A worker that has been working in Finland for a continuous period of four years with a continuous 'A' permit may then be granted a permanent 'P' permit. An employee working under a temporary 'B' permit may not be granted the permanent permit unless his/her status in the country changes, for instance, due to marriage. There are significantly more limitations on the application of social security for those working with a 'B' permit when the work lasts less than two years. The employment office will not accept workers with a 'B' permit to register as jobseekers when their work ends or decreases, since the expectation is for the worker to return to their own home country once the job they received the permit for has ended.

When considering whether to approve the granting of a permit to enable a foreign

worker to work in Finland, the employment office first determines whether comparable labour can be found within Finland in a reasonable amount of time. This means that the job must be advertised openly on the www.mol.fi website of the labour administration in order to establish the availability of domestic applicants. The salary and terms and conditions of employment must correspond to the collective bargaining agreements valid in Finland. The employment office may request the input of the occupational health and safety authorities regarding the propriety of the central terms of the employment relationship. The purpose of this process is to secure the livelihood of a foreign worker through gainful employment in Finland. The considerations of the employment office are thereby based on the availability of domestic labour, the appropriateness of the hiring of a foreign worker, and an assessment of the reliability of the employer. It is also necessary to clarify whether the employer has conscientiously fulfilled all its required obligations. The Directorate of Immigration will make the final decision and determine whether the applicant satisfies the other requirements to stay in Finland. If the employment office's portion of the decision is favourable, and there are no foreseeable obstacles for residence in Finland, meaning that the applicant is not viewed as endangering public order and security, public health or Finland's international relations, the Directorate of Immigration will grant a residence permit. The decision to grant an extension to the permit is made by the local police, who will determine the existence of any possible obstacles concerning public order and security.

The application can be submitted by either the employee or the employer. The application may be submitted to the Finnish mission abroad or, within Finland, with the local police or employment offices. With certain exceptions, most applications are submitted abroad prior to coming to Finland. A set fee is charged for the process of handling a worker's residence permit application. The handling fee for the first worker's residence permit application is 175 euros. If the application is submitted to the employ-

ment office, it must include an attached copy of the payment receipt that shows that the fee has been paid to the Ministry of Labour's bank account, **Nordea 166030-101447**. If the application is submitted elsewhere, the fee may be paid directly in cash. In addition to the worker's residence permit application and the payment receipt, the application must include a copy of the employment contract if such has already been drawn up, the completed Appendix to the residence permit application for workers (TM 054), the completed residence permit application (JV1101) of the Directorate of Immigration, a copy of the employee's passport and two passport photos. The work permits for the southwestern region of Finland are handled by the work permit division of the Tampere employment office. Therefore, applications may be sent directly to their office or submitted to a local employment office, which will then forward the application on to Tampere. If necessary, the work permit division may request additional information, such as a statement of outstanding taxes, an extract from the trade register, a report of the company's financial situation or paid salaries.

A worker's residence permit entitles the bearer to work in one or several professional fields. Under special circumstance, the permit may also be limited to cover only work for a specific employer. The worker's residence permit consists, therefore, of the partial decision of the employment office, and the permit decision of the Directorate of Immigration or the local police authorities. This permit, however, is not an employment contract, and thereby does not legally signify any obligation on the part of either the employee or employer. The central terms and conditions concerning the work of foreign employees are stated in the Register of Aliens, to which the occupational health and safety authorities have direct access. Both the employee and the employer have the right to appeal the final decision and the contributing statement of the employment office.

A worker's residence permit is not necessary for certain jobs defined in the Aliens Act (such as experts, specialists, one working less than three months at gathering/taking care of berries and vegetables, athletes, trainers and au pairs). In these cases, the employer cannot submit an application on behalf of the employee. The employee must independently find out about the necessary permit procedures from the Directorate of Immigration or Finnish mission abroad.

The employer has the right, free of charge, to request an advance decision from the employment office regarding the labour market requirements for permit approval. This decision is valid for a fixed period.

The application for a residence permit for a self-employed person is a similar procedure when the applicant is not an EU/EEA citizen. The application for this type of permit may only be submitted personally by the foreigner. The regional Employment and Economic Development Centre (T&E Centre) will evaluate the profitability of the intended trade. In Turku, this matter is handled by the Business Information Centre, Potkuri. The final decision is made by the Directorate of Immigration or, in the case of extended permits, the local police.

3.2 Registration process in Finland

3.2.1 Registration of EU citizens

All EU citizens and citizens of Liechtenstein and Switzerland must register in Finland for any period of longer than three months. This registration is carried out with the local police, except in the case of Nordic citizens, whose registration is handled by the local register office in accordance with the Inter-Nordic Migration Form. Once the requirements for registration have been determined, the person will receive a written registration certificate establishing his/her right of residence as a citizen of the European Union.

A family member who is not a resident of an EU country or an equivalent person, must apply for a residence card. Family members have the right to seek paid labour or work independently as a self-employed person regardless of their nationality. A family member constitutes a spouse or cohabitating adult, who is a legally registered partner to the EU/EEA citizen, regardless of gender, as well as all of the family's children under the age of 21 who are dependent upon the income of the EU/EEA citizen.

Registration and the residence card are proof of the person's right of residence, but are not considered residence permits in the strict sense of the word. A certificate of registration proves that an EU citizen's right of residence has been entered in the Register of Aliens.

Once an EU citizen and his/her family members have lived in Finland for a period of four years, they may apply for a permanent

An employer who is hiring a foreign employee is obligated to ensure that the employee has the right to work and the right to practice a profession in Finland (such as health care workers). The employer should supply the employment office with information regarding the terms and conditions of the job, and provide the name of the foreign employee and applicable collective bargaining agreement to the workplace shop steward, entrusted personnel and labour protection delegate. This information is unnecessary if the employee is a citizen of an EU state or an equivalent person, his/her family member, or a foreigner holding a permanent residence permit. Employers must store, at their workplace, information about the foreign workers in their service and the grounds for their right to work so that, if necessary, they are easily accessible to occupational health and safety authorities. The information must be kept for four years after the employment relationship has ended.

residence card. The permanent residence card is not mandatory, since registration and the basic residence card are considered sufficient measures and documentation.

Depending on the grounds for application, the following documents are required when registering one's right of residence:

- Basic information form
- Clarification of family ties
- Marriage certificate
- Information on the principal terms of employment provided by the employer
- Definition of trade
- Certificate of study
- Account of the applicant's means of support
- photograph
- national identification card or passport
- other documents requested by the Finnish authorities

3.2.2 Acquisition of personal identity card

In accordance with the Municipality of Residence Act (201/1994), the local police may grant an identity card to those foreigners who are permanently residing in Finland, are registered in the Population Information System, and whose identity can be reliably proven. This identity card may not be used for travelling outside of Finland since it is not a travel document. Upon the applicant's request, personal health insurance information can be added to the identity card, if the applicant has been approved within the Finnish social security scheme. An identity card that includes the bearer's health insurance information may be used in the same manner as a Kela card, for example, in pharmacies and medical clinics. The identity card may also be used for identification purposes in electronic services.

An application for an identity card must always be personally submitted to the local police. The applicant must also provide

- Two photographs (preferably black/white)
- Proof of identity (such as a passport)
- If the applicant is under 18 years of age, the consent of the applicant's guardian or parent

Additionally, the police can, upon application, exchange a driver's licence granted by another EU/EEA country for a comparable Finnish driver's licence.

3.2.3 Municipal registration with the local register office and acquisition of the Finnish identity number

The basic information about every individual living in Finland is registered in the Population Information System. The Population Register is maintained by the local register office. The information recorded in the system includes a person's name, date of birth, nationality, marital status and address. The municipality of residence is also recorded for a person who moves to Finland if that person intended on permanently living here and has a residence permit for more than one year. EU and Nordic citizens are not required to have a residence permit. Citizens of the Nordic countries are not required to personally notify the local register office, but they need an **Inter-Nordic Migration Form** from the registration authorities in the country of origin for the purposes of registration in Finland. Citizens of the Nordic countries are also required to register with the local register office if their information is recorded in the Population Information System for the purposes of acquiring an identity number. Prior to registration in the Population Information System, EU citizens must register with the local police. In connection with this procedure, EU citizens will also be asked to show their registration certificate.

Foreign citizens must personally provide the local register office with their personal information for the purposes of registration and a written notification of their change of address; in other words, the person must already have new address information at this point. At the same time, the person applies for a personal identity number, which facilitates the registration of that individual's personal information. During this registration process, the individual will be asked to show his/her valid passport and other certificates, including the valid residence permit which entitles a stay of no less than one year in Finland, and a birth certificate. Foreigners are required to provide the same personal information for registration as are Finnish citizens. The documents provided must be either certified originals or certified and notarised copies of the originals. The local register office provide further information about the certification process. All documents in Finnish, Swedish or English will be accepted. This registry information is used, for example, in the organisation of public elections, taxation, health care, judicial administration and statistics.

Careful use of the identity number reduces the possibilities for error in the registers, and thereby increases personal data security. The identity number is not always essential. Often, daily matters can be handled by simply using one's own name.

Any persons coming to Finland from Estonia, Lithuania, Latvia, Hungary, Slovenia, Slovakia, the Czech Republic, Poland, Bulgaria and Romania to work for a period exceeding 14 days must register with the local employment office if they have not registered with the local police. The duration of their work appointment of less than three months but more than 14 days is also registered in the Finnish Register of Aliens. This is a provisional law which replaces the so-called Transition Period Act.

All those registered in the Finnish Population Information System may request an extract (official certificate) from the system, for example, for the acquisition of a regional bus card, procurement of housing, or for their employer. An official certificate may be ordered from any local register office. The extract contains the individual's personal information, including their full name, personal identity number, place of birth, marital status, registration authority, home domicile and address. When necessary, the certificate may also include information about the individual's spouse, children and parents, if this information is available in the system.

In accordance with the law, a person who is moving must make an official notification of the move within seven days of the date of the move. If the move is within Finland, the notification may be carried out by telephone, e-mail or mail. If the person is moving out of Finland, he/she must provide notification both by written notification form and e-mail. Change of address forms are available from many offices, such as Kela, the local post office or tax office. The obligation to notify the authorities of a change of address also applies to foreign citizens who have either a permanent or temporary residence in Finland.

A Finnish personal identity number is given when a child's birth or a foreigner's entry to Finland is registered in the Population Information System. An individual may only be given one personal identity number. Eligibility for the identity number is granted to Finnish citizens who were born in Finland or abroad on the basis of their birth certificate, or to foreigners whose residency in Finland is permanent or has lasted a minimum of one year. The identity number is an identification method which individualizes a person even more specifically than their name. There are people who share the same name, but no two persons have the same identity number. The identity number remains unchanged throughout a person's life and serves as a permanent means of identification, regardless if the person changes his/her name. Identity numbers have been used in Finland for more than 25 years.

Foreigners who are only residing in Finland for a short period may also receive an identity number if such is necessary, for example, for their job. In this case, however, the job must last longer than three months. In some cases, family members living abroad may also be granted a Finnish identity number.

The identity number is necessary for the payment of salaries and commissions, in order to ensure that the money is paid to the correct individual. The number is also used for matters concerning social security and pension. The

identity number is also required by tax authorities for the administration of paid taxes and tax-related payments, and for bank transactions. Generally, the identity number is necessary for any dealing with the Finnish authorities.

3.2.4 Registering for Finnish social security

Foreigners planning to reside in Finland for a longer period of time should always visit their local Kela office to ask about eligibility for Finnish social security once the other aforementioned registrations have been taken care of. Kela will request that you complete application form Y77, which is an application for coverage under the Finnish residence-based social security scheme upon moving to Finland. They will also be asked to show some proof of identity, a residence permit or a registration certificate as an EU citizen. Other related documents may also be requested. The local Kela office provides foreigners with information about any supplementary documents that are required. Those who are applying for social security on the basis of their employment will be required to clarify the terms of their employment relationship, by showing, for example, an employment contract and salary receipt, or a written account by the employer from which Kela can clearly see the duration of the applicant's employment relationship, the working hours, the salary amount and the existence of employee pension insurance. On the basis of the application, a decision will be made as to whether that person is eligible for Finnish social security and the related Kela card. The Kela card is proof that one is covered by Finnish social security.

A person is considered as residing in Finland if he/she has a permanent home where he/she primarily lives on a full-time basis or at least half of the time. Permanent residence means, in practice, that the person has lived here for a minimum of two years. People who fulfil this criteria by living and working in Finland, regardless of their nationality, are eligible for coverage within the Finnish social security system. Those who work and live in Finland for a period of less than two years are, under certain conditions, also entitled to social security. The decisive factor for being considered eligible for social security is whether or not the employment relationship lasts more than four months. EEC Regulations 1408/71 and 1612/38 prescribe the application of social security for EU/EEA citizens and third country citizens who legally reside in an EU member state. These regulations improve the social security rights of those employees and their family members in cases where the employment lasts less than two years, but more than four months. Also,

those employees for whom these regulations apply and who work in Finland for less than four months are also entitled to public health care and occupational health care services. Anyone coming from outside of the EU/EEA area does not have this right.

The application of Finnish social security legislation is a relatively complex matter which is difficult to explain in any short, unambiguous manner. In all cases, it is recommended that the employee apply to Kela for a decision, since the right to social security affects many other issues, such as those described later on in this guide. If the foreign employee has been granted only partial social security or no security, this information will assist the person in handling matters appropriately in Finland, such as making decisions about private health insurance or the postponement of the family's move to Finland until such a time as the continuation of the employment relationship has been assured.

Once someone has moved away from Finland, he/she is no longer considered a resident nor eligible for residence-based social security. If the stay abroad lasts longer than one year, the move is considered to be permanent. Anyone moving abroad must notify Kela and return the Kela card.

Kela card (personal health insurance card)

Every permanent resident of Finland or those eligible for Finnish social security will be issued a Kela card (without a photo). All those aged 16 years or older must personally sign the Kela card. All other information on the card is filled out by the Kela office. The card is necessary for purchasing prescription medications from the pharmacy, since the price of the medicines are then reduced by the state health insurance reimbursement.

A Kela card with a photo may be used for identification purposes in banks and post offices. It is not, however, valid identification for travel abroad. This card is available for a fee and must be applied for in person.

- Apply for the card in person from the local Kela office.
- Be prepared to provide photo identification, such as a passport photo
- 25 euro in cash

The health insurance information may also be added to the identity card granted by the

police. An identity card including the bearer's health insurance information may be used in the same manner as a Kela card, for example, in pharmacies and medical clinics.

European Health Insurance Card

Residents of Finland are also entitled to medical care during a temporary stay in another EU/EEA country or in Switzerland. The European Health Insurance Card serves as proof of such entitlement. Correspondingly, other EU citizens with this card are entitled to receive medical care during a temporary stay in Finland.

This card is free of charge and may be applied for from the Kela office by any person covered by the Finnish social security scheme who is planning to travel to another EU/EEA country or Switzerland for the purposes of

- a holiday
- studies
- work or
- the search for work.

The card is generally valid for two years, and will be automatically renewed as long as the person is covered by the Finnish social security scheme.

The European Health Insurance Card replaces the E111, E119 and E128 forms previously in use. Each country issues the card in their own language, but otherwise the cards are identical. Kela issues the card in either Finnish or Swedish. In Finland, the European Health Insurance Card does not yet function in the same way as the Kela card or an identity card carrying personal health insurance information.

3.2.5 Applying for a tax card

You should apply for a tax card from the tax office prior to your first salary payment. If a tax card is not presented to your employer, you will be taxed 60% of your earnings. The tax card is issued upon application, and most applicants receive the card immediately. The application can also be completed by the applicant's spouse or employer. In order to be issued the card, it is essential to clarify the exact salary amount, the job description and the duration of the employment relationship. When the card is being issued, it will also be clarified whether or not the recipient is eligible for coverage within the Finnish social security scheme. Further details regarding the taxation of foreign persons work

4. Employment contracts and general terms and conditions of the employment relationship

This section was written primarily from the viewpoint of the foreign employee or foreign employer. It does not offer any novel information to Finnish employers, except as regards posted workers. It is important to note that the same rules and regulations, labour legislation, Act on Employment Contracts and collective bargaining agreements all apply to both Finnish and foreign employees working in Finland. The position of posted workers differs to a certain degree as compared to locally hired workers. However, the same Finnish labour legislation, and Finnish standards for working conditions and wages also apply to posted workers. Changes in the legislation concerning the position of posted workers came into effect at the beginning of 2006, when their position even further approached that of Finnish employees.

4.1. Determining general terms and conditions of employment

In Finland, the terms and conditions of employment are determined on the basis of many different regulations which have been arranged hierarchically. This means that the regulations have a preferential order by which a higher level regulation supersedes a lower level regulation. The sources for these regulations are the Constitution of Finland, international agreements and EU Directives, domestic legislation, central organisation agreements, collective bargaining agreements, working regulations and equivalent practices, and the orders of the employer. Legislation and collective bargaining agreements carry the most weight. The terms of employment may also be otherwise agreed upon in the employment contract, but the minimum terms and conditions are subscribed by law and the applicable collective bargaining agreement. Employment contracts for upper level white-collar personnel have a greater significance since there are no collective bargaining agreements, or only a loose blanket agreement, that is applicable to their positions. In accordance with the so-called favourability rule, the employer and employee are, however, free to agree on an employment contract with better terms and conditions. Any terms agreed upon that are less favourable than those specified by the collective

bargaining agreement are considered invalid. In disputes concerning the interpretation of the employment terms, the employer always has the interim priority right of interpretation, and this interpretation must be observed until the dispute has been settled.

4.2. Rights and obligations of the employer and employee

An employment relationship is established once the employee has committed to work for the employer under the employer's management and supervision. The distinctive features of the employment relationship include the receipt of a reasonable salary or other compensation for work that is carried out under the employer's management and in accordance with the employment contract. Once the employment relationship is established, the rights and obligations of the employer and employee become valid in accordance with Finnish law and the collective bargaining agreements; these rights and obligations are the same for everyone regardless of nationality.

The employee is entitled to wages and working conditions in accordance with the applicable collective bargaining agreement. The

employee is also entitled to protection, as prescribed by laws and agreements, for such things as equal and unbiased treatment. The employee has the right to join a union, and the right to a healthy and safe working environment, which he/she is also responsible to maintain. The employee's responsibilities include conscientiously carrying out work tasks, observing the instructions and regulations of the management, refraining from participation in any activities that compete with those of the employer, upholding professional confidentiality, and incorporating the employer's best interests in his/her work.

The employer has the right to decide to hire the employee, to oversee the work done, to give notice and to cancel an employment contract. The employer is responsible for observing applicable laws and agreements, such as the collective bargaining agreement, treating the employees equally, promoting equality, ensuring occupational health and safety, providing the employee with a written description of the central terms and conditions of his/her job, as well as promoting a good working atmosphere, efficient job performance and professional development. The employer's other responsibilities include offering additional work to part-time workers, re-employing dismissed workers,

making notifications of opening positions, granting earned benefits to employees based on the duration of their employment relationship, and paying wages during sick leave and during work interruptions, such as during a term of notice. The employer must also adhere to the stipulations of the collective bargaining agreement in terms of salary amount, the payment of wage increases and the timely payment of wages.

4.3 Drawing up an employment contract

The Employment Contracts Act stipulates the contents of an employment contract and is applicable to nearly all employment relationships regardless of their nature. The employment contract may not, for example, state that the Employment Contracts Act is void within the employment relationship. The minimum terms and conditions that make up the employment contract are also determined on the basis of the generally binding collective bargaining agreement for the field in question. If the employment contract runs contrary to the terms in the collective bargaining agreement, the provisions which are considered to be more favourable for the employee must be observed. Other than the aforementioned exceptions, the parties to the employment contract may freely agree on the terms and conditions of the employment relationship, i.e. the content of the employment contract.

The Employment Contracts Act regulates the drawing up of employment contracts, the responsibilities of the employer and employee, the stipulation of the minimum terms and conditions valid in the employment relationship, the employee's right to family leave, lay-offs, the termination of the employment contract, the obligation to pay remuneration, the impact of invalid and unreasonable contract terms and conditions, employment contracts of an international nature and the role of elected employee representatives.

The employment contract is generally written out in order to avoid any confusion regarding what has been agreed. This is particularly important in cases where the employee has been granted better terms and conditions than those stipulated by the collective bargaining agreement. It is possible to make a verbal employment contract, but the employer is obligated to confirm the terms and conditions in writing in connection with the first salary payment without the employee's request.

The employment contract usually contains the following items:

- a) The parties to the employment contract shall be named, and both the employer and the employee must sign the employment contract.
- b) The date the employment relationship begins. The date that the employment relationship begins is the date when the employee begins the actual work tasks assigned to him/her. The date on which the employment contract is signed is considered to be the first day of the employment relationship, and signifies the start of the employee's obligations to the employer, for example, in terms of competitive activities. This paragraph may be significant for an employee coming from abroad, particularly if the employment contract is signed prior to the employee's arrival in Finland.
- c) The duration of the employment contract. An employment contract that is considered valid until further notice (permanent) is the primary form of an employment contract. A fixed-term employment contract may only be applied for justifiable reasons. If the employer has an ongoing need for labour, the use of fixed-term contracts for such jobs is not permitted. These same provisions are applicable for foreign labour even when the employee's work or residence permit is set for a fixed term.
- d) Grounds for fixed-term employment. There must be justifiable reasons for applying a fixed-term contract to any employment relationship. Although no reason is necessary if such a contract is drawn up under the employee's own initiative, it would be wise to record the reason in the employment contract.
- e) Trial period. The trial period for permanent employment relationships may not exceed four months.
- f) Working hours. The regulations regarding the essential working hours are found in the Working Hours Act, which is primarily in-

tended to protect the rights of the employee. The working hours are generally regulated by the law, but the collective bargaining agreement may establish more specific provisions. In accordance with the Working Hours Act, regular working hours consist of eight hours per day or 40 hours per week. Exceptions to this rule may be agreed upon in the collective bargaining agreement, but the employer must then arrange a system to even out the hours in order to ensure that the number of hours remains at the prescribed average. Working hours may also be agreed upon locally, but in such cases, the working hours may not exceed 9 hours per day or 45 hours per week.

g) Primary workplace. If the workplace is specifically designated, it limits the employer's right to shift the employee from one office/site to another.

h) Work assignments. If there has been no verbal or written agreement regarding the work assignments, any established duties may become a set condition of the employment relationship. The employer has the right to direct the work, and if the work assignments have not been specifically stipulated, the employee may be obligated to perform nearly any task assigned by the employer at the designated workplace.

i) The salary, how it is determined and the pay period. The salary is determined on the basis of the generally binding collective bargaining agreement. If the field of work has no collective bargaining agreement, the salary can freely be determined by the parties to the contract, provided that the salary is considered customary and reasonable. These determinations may be based, for instance, on the salary recommendations of the organisations in the field in question. The committee at the Ministry of Social Affairs and Health assigned to examine the general validity of collective bargaining agreements maintains a list of issued collective agreements. A salary that falls below that prescribed by the generally valid collective bargaining agreement is considered to be invalid and unreasonable. All salaries must be paid at least once per month.

j) The annual holiday and holiday bonus. The employee earns two holiday days per calendar month, if the employment relationship has lasted less than one year at the end of the holiday credit year, and 2.5 holiday days if the employment has lasted a minimum of one year. The holiday credit year signifies the period of time between 1 April and 31 March. The main portion of the annual holiday, the 24-day summer holiday, must be taken between 2 May and 30 September. The winter holiday season must be taken outside of these dates, and prior to the subsequent summer holiday season. During the holiday period, the employee is entitled to receive the same salary as he/she receives during normal work times. In addition, the employee is entitled to receive a holiday bonus which equals 50% of the annual holiday pay. The payment of the holiday bonus is based on the collective bargaining agreement. The portion of the holiday that exceeds 18 days may be used during the next holiday season or as carried-over holiday time. When the employment relationship ends, the employee has the right to receive holiday compensation for accrued holiday time which has not been used or otherwise remunerated.

k) Term of notice. The employer may dismiss an employee with a term of notice varying from 14 days to six months, depending on the duration of the employment relationship. The employee cancels the contract with a term of notice varying between 14 days and one month. These terms apply only to permanent employment relationships. Fixed-term employment relationships cannot be cancelled other than by joint agreement, but the terms of notice may be separately agreed upon in the collective bargaining agreement or employment contract. During the term of notice, the normal obligations and rights of the employee remain valid, including his/her obligation to work, unless the employer has separately dismissed the employee from his/her duties. In this case, the matter should be

recorded in the official notice. If either party does not adhere to the set term of notice, they will be liable to pay compensation.

l) Additional and overtime work. Additional work is work beyond the agreed working hours, but not exceeding a 40-hour work week. Overtime is work that exceeds the maximum number of regular working hours and is always voluntary. The maximum amount of overtime is regulated to a total of 138 hours in a four-month period and 250 hours during one year.

m) Applicable collective bargaining agreement. This is always included in the employment contract. If no collective bargaining agreement is applicable, the parties should agree to observe the provisions of some selected collective bargaining agreement.

n) Other terms. Terms and conditions that are more favourable than those prescribed by law or the collective bargaining agreement should always be included in the employment contract. If the employer is not bound by any collective bargaining agreement, the parties should agree on, for example, the payment of the holiday bonus and sick pay. In addition, the parties may elect to supplement the primary employment contract with a non-competition agreement, a confidentiality agreement and/or a competing employment contract.

o) Date and signatures. One should never sign a document containing something he/she does not understand or approve, or which is ambiguous. By signing the document, the employee commits to carrying out the assigned job with the terms and conditions in the contract. Once signed, the terms and conditions may not be changed except by joint agreement, unless they are considered invalid in accordance with the law or collective bargaining agreement.

4.4. Termination of the employment contract and lay-offs

The employment relationship may end as a result of the contract being cancelled, dismissal by the fault of the employee, production-financial reasons, the end of the fixed term, the employer's bankruptcy or death. A reduction in work is not always a valid reason to dismiss an employee; in such cases, employees can also be laid off.

The employer may only cancel an employment contract on grounds which are noticeably more substantive or weighty than the grounds for termination. The grounds must be so weighty that the employer cannot reasonably be required to continue the employment relationship even for the term of notice. The employee also has the right to cancel the employment contract if the employer has been negligent in its obligations. Prior to the cancellation of an employment contract, both parties must be given the opportunity to be heard. During the trial period, the employment contract may be cancelled by either party for lesser grounds provided they are not considered unreasonable or baseless.

An employer may only dismiss a permanent employee for a substantive and weighty reason. This action also requires that the employee has fundamentally violated the obligations of the job or acted in negligence. The employee must be informed prior to the dismissal, except in the case of a grave violation. The Employment Contracts Act contains a list of grounds that do not entitle the cancellation of the employment agreement.

The employer has the right to dismiss an employee if the assigned work has diminished substantially and permanently for financial or production-related reasons, or for reasons arising from the reorganisation of the employer's operations. The profitability of the company must be weakened for a sufficient period of time, and for larger companies, this examination period is longer than in small companies. New employees may not be hired to carry out tasks similar to those that had been assigned to dismissed employees. The employer may also not dismiss an employer if other employees had been hired to carry out similar or equivalent tasks prior to the termination. The assignment of overtime or the hiring of fixed-term employees are also unacceptable means for fulfilling the duties of the employee being dismissed. The

employer is first obligated to offer the employee alternative work tasks, a position in another location or training for new duties. The previously mentioned measures must be observed in company reorganisation situations, but if the termination is necessary to prevent the company from going bankrupt, the term of notice for the employer is two months and, for the employee, 14 days. The law requires that co-operation negotiations take place in the workplace prior to the implementation of any of these measures. Co-operation negotiations are discussed in further detail later in this guide.

Once an employer has been declared bankrupt, the employees are generally given notice. In such cases, the term of notice is 14 days. During the period of bankruptcy, the salaries are paid from the bankrupt's estate, and wages due are paid by pay security. If the employer should become deceased, both the shareholders of the estate and the employees have the right to terminate their employment contract with a term of notice of 14 days.

A fixed-term employment contract ends without a term of notice on the agreed date or once the specific commission is completed. An employee need not consent to the premature ending of a fixed-term contract, except in cases where the employment contract is being cancelled. It is possible, however, for the parties to agree to end the employment relationship on an earlier date than was originally set as the end of the fixed term.

When an employee is laid off, both the work and the salary payment are interrupted, but the employment relationship does not end. Lay-offs can also be implemented through decreased working hours. The grounds for lay-offs are listed in the Employment Contracts Act. If an employee has been laid off without proper grounds, the employee has the right to receive compensation. Companies are obligated to conduct co-operation negotiations in cases where laid offs are being considered.

4.5. Change security

Change security legislation entered into force in 2005 to improve the position of employees that are being threatened with dismissal. The security includes the provision of paid time off for the employee to seek a new job, the increased obligation of the employer to keep

both employees and labour authorities informed, a plan of action drawn up jointly with the personnel, and an employment programme drawn up in co-operation with an employment office. An employee who is covered by change security and meets with certain requirements may be entitled to a higher unemployment allowance (employment programme increase) for the duration of the programme.

Change security is available to all employees whose employment relationship has lasted an uninterrupted period of three years. A foreign worker with a temporary residence permit for Finland may find it difficult to take full advantage of the change security legislation, since the employment programmes require that the employee be registered as a jobseeker with the employment office, and, as a temporary residence permit holder, they are not permitted to do so. Employees in this situation, however, should feel free to contact the employment office to discuss their situation.

4.6. Legal advice and employment assistance

The shop stewards within the workplace are there to help employees to understand all matters concerning their employment relationship and contract. Trade unions also provide union members with legal advice and help in dispute situations. Employers can turn to the employers' association for help and advice. Employees who do not belong to a trade union and employers who do not belong to the employers' association may solicit assistance and advice from their local occupational health and safety authorities.

Finland also has a Data Protection Ombudsman, who is responsible for guiding and supervising the handling of personal data in order to ensure the privacy of Finnish citizens. The Ombudsman for Equality supervises compliance with the Equality Act.

4.7. The position of posted workers

Employees who are sent to Finland to work on behalf of a company operating in another country are referred to as posted workers. These persons generally work in the country from which they have been sent. The company that has sent a posted worker is essentially providing a transnational service for Finland. Directive 96/71/EC concerning the posting of workers regulates such activities, and in Finland, the Directive has been executed in the form of the Posted Workers Act (1146/1999), which is the same for all workers under this title regardless whether they are from an EU member state or not. Posted employees may work in Finland either on the basis of a (subcontract) agreement between the customer (the employer or subscribing company) and supplier (user of the services), or as a posted worker sent by a temporary work agency. A corporation located in another country may also post a worker to a branch company that is located in Finland.

The legislation regulating Finnish working life also largely applies to posted workers. Special attention has been paid to the supervision of wages and employment terms and conditions in accordance with the legal amendments that came into force during 2006. These issues, as they concern posted workers, are governed by the appropriate collective bargaining agreement, or if one should not be applicable, the worker must be paid a salary that is deemed customary and reasonable for the field in question. Previously, this was not the case. If a term or condition in the employment contract of a posted worker is inconsistent with a generally binding or customary provision, it is considered invalid.

The maintenance of information concerning the employer of posted employees and the employment relationship is even more precise than it has been in the past. The company that has posted the worker must have a representative present in Finland unless there is a branch of the company operating in Finland or the worker is being sent for a period of less than two weeks. The authorisation of the representative should remain valid for a period of no less than 12 months from the date when the work commission in Finland has ended. The representative saves the information, and once their authorization has ended, the information must be retained by the foreign company for no less than two additional years. Documentation of working hours and paid salaries must

be available under penalty of law. The company representative does not bear the employer's liability, but is authorised to represent the employer in court and receive official documents and citations. The Finnish employer must ensure that the foreign company that is posting workers also appoints an on-site representative. Note of this fact must be made, for example, in the subcontract agreement. A penalty will be prescribed for non-compliance with this obligation.

The Employment Accidents Act is not applicable to posted workers. They are covered by the employment accidents act that is valid in the country in which they normally work and from which they have been sent. These workers also belong to the social security scheme within their home country. Finnish insurance companies will not grant accident insurance to posted workers. The employer or subscribing company should make sure that the posted workers have sufficient insurance coverage for occupational accidents and diseases; in the occurrence of an accident at the workplace due to negligence of the principal authority of the employer to carry out assigned responsibilities, the liability for the damages may rest with the employer or subscribing company. Furthermore, the Finnish Pay Security Act is not applicable to the position of posted workers.

Posted workers from EU/EEA countries must have the appropriate certificate, referred to as the E101 certificate. On the basis of this certificate, the Central Pension Security Institute keeps a register of all the posted workers in Finland. The certificate is proof that the workers are covered by the social security scheme within their home country, and certifies that, while they are working in Finland, the costs of their health insurance, occupational health care and other social benefits are covered by their country of origin. The workers are entitled to receive medical treatment in Finland while employed here, but the actual costs accrued are officially the responsibility of the posting country. In accordance with EU regulations, the status of a posted worker can only be granted for a period of no more than 12 months, with an extension of up to 24 months under special circumstances. The extension may only be granted by competent authorities, which, in Finland, signifies the Central Pension Security Institute.

The following laws and regulations apply, as such, to posted workers. If the law in the posting country can be shown to be more favourable than the provisions of the acts below, this law may be alternatively applicable.

- Occupational Safety and Health Act
- Occupational Health Care Act
- Young Workers' Act
- Equality Act
- Employment Contracts Act (salary determination and housing benefit, matters related to family leave and the duty to pay wages)
- Working Hours Act (overtime, working hours and breaks, documentation of working hours)
- Annual Holidays Act
- Applicable collective bargaining agreements

5. Getting ready to work in Finland

The employer is responsible for acquiring several statutory insurance policies to supplement and improve the general social security of the employee. The employer also has other obligations, such as providing occupational health care, enabling the activities of trade unions and employee representation in the workplace, enforcing co-operation with employees within undertakings and enabling employees to take family leave. In keeping with European practice, employees are better insured than other population groups within Finland. The majority of the insurance contributions and costs of the employee are covered by the employer. The employee participates in the financing to a minimal extent, but the majority of the costs are covered by the accrued tax revenue and related funds. The social security benefits of the employees are covered by insurance companies, the Social Insurance Institution of Finland (Kela), unemployment benefit funds and the Central Pension Security Institute (ETK).

5.1. Legal obligations of the employer

The general health insurance scheme in Finland is comprehensive, covering the majority of common events. It cannot, however, be applied to foreign workers under all circumstances; for instance, the social security provided by Kela cannot be applied in its entirety to foreign workers who are temporarily employed in Finland, or, at all, once they have permanently left the country.

It is the employer's responsibility to organise and pay for the employee's pension plan. This means that the employer is required to take pension insurance for the employees, and the employees participate in the financing of the insurance with a minimal contribution. If a foreign worker leaves Finland prior to retirement, the pension funds paid for work in this country are reserved for him/her. Once the worker retires, this amount is paid as part of his/her total pension to the country of residence regardless the worker's nationality. Pension institutions, insurance companies and other authorities automatically calculate employee pensions. Employees are, however, advised to save all employment documentation from the countries in which they have worked.

The employer is obligated to insure the employees against accidents and death, and may also elect to voluntarily take leisure insurance for the employees. Accident insurance also covers the journeys between the employee's home and workplace. The employer may also be obligated to take group life insurance as required by certain collective bargaining agreements. Group life insurance ensures compensation to employees for permanent disability, or to the family or named beneficiary in the case of death.

The employer is obligated to pay a statutory unemployment insurance fee, and a similar fee is deducted directly from the employee's wages. The employer handles the payment of these fees. The employee may choose to voluntarily take supplementary insurance against unemployment by joining an employment benefit fund. The payments for these societies vary depending on the particular society and employee's salary amount. Generally employees pay these fees directly, but it is also possible for the employer to debit the amount from the employee's wages and pay it to the employment benefit fund.

In Finland, insurance companies handle statutory pension and accident insurance premiums. The employer is obligated to provide an annual notification of the total paid salary amount to the insurance company, who then sends this information forward to the Central Pension Security Institute (ETK). ETK sends the employees a statement containing their updated earned pension amount. This enables the employee to check that the employer has properly taken insurance and paid the insurance premiums on which the pension is determined. This is the point at which the employee should also make any complaints or corrections if information regarding the working hours and wages is missing. This ensures that the employee's right to a pension is properly recorded. These complaints and corrections may also be made after the employee has reached the pensionable age. The employee is always free to request an extract from the register of ETK regarding his/her own pension record. An employee has the right to and should always request an employment certificate at the end of an employment relationship to serve as future proof of the employment relationship.

5.2. Taxation

The employer withholds tax from the worker's wages. In order to withhold taxes, the employer must have the employee's tax card, which states the withholding rate determined by the tax office. The tax laws contain specific stipulations, for example, which concern foreign experts. A company's so-called "key foreign personnel" may, under certain conditions, be granted a tax advantage in Finland for the first 24 months of work in the country. This law is provisional.

Regardless of the decisions, for example, of Kela or the Population Register, the tax authorities determine whether the employee will

The employer also deducts a social security contribution from the paid wages and pays it to the tax office in connection with the payment of the taxes. This payment contributes, in part, to funding the general social security handled by Kela, while the main portion of the funding is derived from taxes. From the start of 2005, a special regulation was established as concerns the collection of social security contributions from foreign workers; employees who are working for less than 4 months in Finland do not need to have the employer's social security contribution or the employee's health insurance fee deducted from their wages, nor are they covered by the Finnish health insurance scheme. The fees for employee pension insurance and unemployment insurance are collected. EU/EEA nationals or nationals of third countries who legally reside in an EU member state are entitled to the services provided by Finnish public health care for the duration of their employment in this country. Permanent residents of third countries who work in Finland for less than four months are not entitled to these services.

have general or limited tax liability. Persons who stay for an uninterrupted period of more than six months in Finland are generally tax liable; a temporary absence is not seen as affecting the uninterrupted status of the period.

There are many special agreements concerning taxation between countries, and they can be quite broad and apply to employees of many occupational groups. For this reason, it is always wise to turn to a tax office official who specialises in international matters for advice regarding the taxation of foreign workers; the specific nature of the work and the salary amount should be determined for this purpose.

a) Those subject to general tax liability

Employees working for more than six months in Finland are liable to pay taxation in accordance with the same principles as a permanent worker. Employees must acquire a tax card for the purposes of determining the tax withholding rate. Prior to applying for the tax card, an EU/EEA citizen must register with the local police. For non-EU/EEA citizens, it is enough to have a valid worker's residence permit. The next step is to apply to the local register office for a personal identity number. The tax office can also accept applications for personal identity numbers. Either the employee or the employer may complete the application for the tax card. The tax card states the employee's tax withholding rate and the income limit up to which it applies, and a higher rate for income that exceeds the given limit. The employee is free to choose either a monthly or annual income limit. If the employee does not provide the employer with a valid tax card, the withholding rate is set at 60%. In connection with the tax withholding, the employee pension, unemployment and health insurance fees are also deducted from the salary. Workers who fall under the classification of general tax liability must file an income tax return with the Finnish tax authorities each year which includes all of the income earned by the individual from anywhere in the world during the year in question. If the employee has a permanent residence in another country, the tax agreement between Finland and the country of residence abolishes double taxation.

b) Those subject to limited tax liability

Employees working in Finland for less than six months are subject to limited tax liability. A final withholding tax or source tax system is applicable to such employees and a tax-at-source card is available from the tax office. If an employee does not supply the employer with a tax-at-source card, the withholding rate is set at 60% of the employee's wages. The tax rate is fixed at 35%, but the employer may make a source tax deduction of 510 euro each month or 17 euro per day for each working day if the duration of the payment period is less than one month. This withholding is final and the employee is not obliged to file a tax return. The employee is only liable to pay tax for income received in Finland. Once the period of employment has ended, the employer is obligated to give a report of the paid wages and collected tax at source. This documentation should be saved by the employee since it may be requested by the tax authorities in the employee's home country. The employer will also withhold employee pension and unemployment insurance fees. If an employee works in Finland for a period longer than four months and he/she does not supply the employer with an E101 certificate, the employer will also withhold health insurance fees and social security contributions. These fees are generally approximately 7%. A separate tax card is required for each individual employer. Employees from EU/EEA countries may also opt for progressive taxation in Finland if 75% of their income is earned in Finland during the tax year. This can only be done after the actual year of employment has ended and requires that the employee has a Finnish identity number.

If the employer is not from Finland nor does the company have an established branch in Finland, and the employment lasts less than six months, Finland does not withhold any taxes, but the taxes are paid to the home country. If the aforementioned conditions are the same, but the employment lasts more than six months, Finland will require that taxes be withheld. For situations such as these, employers and employees should turn to the unit of the tax office which specialises in international taxation in order to find out whether there exists a tax agreement between Finland and the home country in question. If the employee has an E101 certificate for posted employees, no social security contributions or health insurance fees will be withheld. In this case, the tax office will determine the withholding tax rate. If the withholding rate is not determined in advance, the accrued taxes will fall due in connection with the final tax assessment.

5.3. Occupational health care

The employer is obligated to arrange and bear the expense for occupational health care in order to prevent health hazards involved in the work or working conditions, and to promote the safety, working capacities and health of the employees. The employer may also arrange for supplementary medical and health services for the employees. The extent of the health care depends largely upon the contract entered into with the employer. Normally, for example, dental care is not included in the occupational health care scheme. Occupational health care can be provided by the municipal health care centre, a private health care facility or an in-house health service. Kela compensates the employer for the costs of providing occupational health care.

When an employee becomes ill, he/she must immediately inform the employer. Depending on the employer and collective bargaining agreement, the employee must then,

either immediately or within a certain time frame, acquire a medical certificate as proof of the sickness in question. The employer pays the normal salary during the sick leave, and, at the end of the 9-day waiting period, Kela pays the employer a sickness allowance for up to 28 days. After this period, the employee must apply directly to Kela for the sickness allowance, and the employer's obligation to the payment of wages ends. Depending on the collective bargaining agreement, the employer may pay the salary during the sick leave for a considerably longer period. In such cases, the employer has the right, by law, to receive the sickness allowance.

The employer also has other obligations connected with the health, well-being, safety and working capacities of the employees. Both the employer and the employee are jointly responsible for ensuring safety in the workplace, but the employer is particularly responsible for arranging occupational health and safety services. Each workplace has an occupational health and safety ombudsman, who is assigned the task of arranging the provision of such services. The implementation of occupational health and safety is monitored through spot inspections by occupational health and safety inspectorates. The employer may be penalised for any signs of negligence or violations that are observed. The employer is also responsible for ensuring that no one is treated with inequality or discrimination in the workplace. Equality is promoted in Finnish working life and specific legislation has been put in place in order to try and combat harassment in the workplace.

5.4. Unemployment insurance

In addition to the unemployment insurance fees paid by the employer and employee, the employee may choose to take voluntary, but legally regulated, insurance by joining an employment benefit fund. The employee becomes entitled to this type of unemployment security, or, in other words, is considered as having fulfilled the employment condition, once he/she has been a member of the employment benefit fund and worked simultaneously for ten months. If the person then finds himself/herself unemployed or laid off, he/she is entitled to earnings-based unemployment security, the amount of which is determined in accordance with the previous ten months' earnings. Unemployment security is paid for a maximum of 500 days. Those moving to Finland from within the EU/EEA area are not required to fulfil the employment condition in Finland. It is considered sufficient if, immediately upon moving to Finland, such persons become members of an employment benefit

fund (within 4 weeks for those coming from the EU/EEA area and within 8 weeks for those from the other Nordic countries), submit to the society a E301 form from the most recent country of employment, and work in Finland for a four-week threshold period. The same practice is observed when one moves abroad from Finland to another EU/EEA country, but it should be noted that procedures or minimal work periods may differ from country to country. Those coming from outside of the EEA/EU area are not granted this type of benefit.

There are many unemployment benefit funds in Finland, and the membership criteria are based on one's professional field or education. The majority of the employment benefit funds are connected with trade unions, but several are completely independent. It is possible to become a member of an employment benefit fund without becoming a member of a trade union. The activities of the employment benefit funds are prescribed by law.

Medium-sized workplaces are generally large enough that they have union representatives, usually in the form of shop stewards to whom workers can turn. There is, however, no requirement to join the largest trade union or employment benefit fund within a certain workplace; each person is free to choose their membership, for example, based on their education. Within the workplace, the union shop stewards do not handle employee benefits which are only connected with the employment benefit fund. If you are looking for someone to supervise your interests or for assistance in disputes, you should consider joining a trade union for these purposes. The trade unions do not pursue the matters of unionised personnel during wage negotiations in the workplace. Although collective bargaining agreements are created jointly by the employees' organisations and employers' associations, employers who do not belong to these associations are still obligated to comply with the relevant collective bargaining agreement. This is referred to as the principle of general validity. The collective bargaining agreement also applies to employees who are not members of any union.

Membership in an employment benefit fund and/or trade union is completely voluntary. If you do not wish to join or pay any supplementary unemployment insurance fees, you are still guaranteed, provided that you satisfy the employment condition in the same manner that entitles one to the earnings-related allowance, a daily allowance from Kela in the event that you find yourself unemployed or laid off; the same rules also apply to the E301 form. If you do not satisfy the employment condition, you are eligible to receive the labour market

subsidy paid by Kela. This does not apply to temporary workers with a worker's residence permit who are working in the country for less than two years. The employment office cannot accept them as jobseekers, and that means that they are not eligible for any unemployment security in Finland if they become laid off or unemployed. The labour market subsidy system does not either apply to EU/EEA citizens if they are working temporarily in Finland, since they are not eligible for Finnish social security. However, unemployment security based on employment is applicable to EU/EEA citizens as discussed earlier in the guide.

5.5. Right to family leave

The parents of young children have the right by law to take leave in order to care for their children. Every mother and father is entitled to a maternity and paternity leave. For mothers, the maternity leave begins prior to the child's birth and continues immediately following the birth. Fathers can take their paternity leave after the child is born and during either the maternity or parental leave period. The parental leave can be divided by the mother and father and, if so desired, may be taken in part, which means that both or either one may also be working part-time. Employees are entitled to take child care leave until the child reaches the age of three, and this leave may also be divided. If the employee elects to take a part-time child care leave and to work part-time, the leave may last until the end of the child's second year in primary school. If a child under the age of ten has an acute illness, one parent is allowed to be absent from work for an uninterrupted period of 1-4 days without it affecting his/her salary. The employer may request a medical certificate in this case. An employee may also take leave from work for an acute illness or accident in the family, but this type of leave is normally taken without salary.

There are many laws in Finland which oversee the rights of pregnant women, such as ensuring that an employer cannot dismiss an employee because of the employee's pregnancy, nor during the maternity leave, and some workplaces have special occupational health and safety clauses in effect to protect pregnant employees. An employee returning to work following the parental leave also has the right by law to return to his/her earlier job or a similar position within the company.

The costs brought about by the above-mentioned family leaves are shared by Kela and the employer. Kela pays an earnings-based allowance to the parents during their leave.

If the employer experiences production-financial difficulties or other such problems which affect the personnel directly, co-operation negotiations must be initiated at the workplace between the employer and employees. The negotiations strive to find solutions for the situation other than dismissals and layoffs. The Act on Co-operation within Undertakings prescribes the initiation and proper execution of the negotiations in a workplace of more than 30 employees. The Act also otherwise obligates the employer to inform the employees about essential matters concerning the company, such as the annual report.

6. Living in Finland

Foreigners moving to Finland have access to numerous guides which provide information about moving to and living in Finland. One such guide is the 'Working in Finland' booklet published by the Ministry of Labour. This guide is intended to assist employers who hire foreign employees, since it is often the task of the employer to oversee the process of settling the employee on a temporary basis, familiarising them with any aspects of the job that are generally well known to employers and Finnish citizens, and with the job itself. The guide helps employees from abroad orientate themselves as quickly as possible, and gives them an overview of the important aspects of working and living in Finland. This is a considerable help to the employer, because the employee is able to begin working at full capacity. The practical matters in this section are presented in chronological order to reflect the order in which they are encountered by the employee.

6.1 Finding a place to live

An employer who has resolved to recruit employees from abroad has most often prepared in advance to provide assistance or arrange for a flat for such employees. The employer should, at the very least, consider organising temporary living arrangements, so that the employee from abroad is able to immediately get underway with their lives and work here in Finland. Temporary accommodation can be found at hotels, motels, inns, student housing, hostels or with private accommodators. There are also lessors in Turku who are specialised in these types of short-term accommodation situations. In most cases, the employer will arrange for temporary accommodation for a period of about two weeks, during which time the employee has the opportunity to take care of all the immigration formalities, get acquainted with the job and working environment, and to find suitable permanent housing.

The type and location of the residence depends on the employee's own demands and preferences, so it is impossible to provide any general advice in this area. In Finland, anyone is free to choose their mode of living, whether it be an owner-occupied flat, a rental flat, or right-of-occupancy or part-ownership housing. Real estate agencies handle the procurement of all of these types of housing. The Internet offers comprehensive information about the services offered by real estate agencies and available housing. These sites are often only in

Finnish, but services in English can be found on the websites of Huoneistokeskus LKV, Kiinteistömaailma Oy and Asuntoleijonat. Some real estate agents only deal in rental properties. In Turku, the city-owned agency TVT Lehtolaakso Oy is also specialised in the handling of rental properties. The service centre 'Tervetuloa Turkuun' (welcome to Turku) provides advice on many issues, including residence issues, for those moving to Turku.

Generally, people take out a housing loan for the purpose of purchasing an owner-occupied flat, a flat in a housing corporation-owned house or a single-family home. The terms and conditions for the loan should be discussed with your bank representative prior to initiating the process of purchasing real estate. Usually, the right to take a loan requires that you have prepayment savings as well as securities or a loan guarantee. The interest on a housing loan is tax deductible. A housing loan may also be taken for the payment of a housing company loan provided that the loan is divided among all of the shareholders. In this case, the loan interest is also tax deductible. Owner-occupied housing is paid by a monthly fee that covers maintenance costs, water and electricity. Those living in single-family homes are independently responsible for paying all the related expenses.

If you rent a flat, the lessor will usually require a rental security of 1-3 months, which

will be refunded at the end of the tenancy. The safest way to pay the rental security is to open a bank account which is in the names of both the lessee and lessor of the flat. In addition to the rent, you will be responsible for paying usage fees for utilities such as electricity and water. The use of gas is very uncommon in Finnish flats. Flats are usually unfurnished when they are rented. If the flat is fully furnished, the rental fee is generally somewhat higher.

If you wish to move into a right-of-occupancy flat, you will need 15% of the flat's sale price. You will gain possession of the flat upon signing the right-of-occupancy contract with the owner. This contract is also a valid security against a loan. Interest on a loan taken to pay the right-of-occupancy fee is tax deductible. If you buy into a right-of-occupancy flat, you will pay the right-of-occupancy fee plus a monthly occupancy fee. The occupants have administrative rights to the flat, but it cannot be purchased by the occupant.

The occupant of a part-ownership flat may first purchase a share in their accommodation, which is between 10-30%. The remaining share is owned by the developer. To start, the occupant will pay a rental fee to the majority owner, and, at the end of the tenancy, the residence may be purchased in full by the occupant. Part-ownership flats are either state-subsidised or privately financed.

6.2. Opening a bank account

It is relatively easy to open up a bank account in Finland, as compared to many other countries. The bank can be freely chosen and does not involve a whole lot of formalities. An agreement is drawn up with the selected bank for the purpose of opening an account. This process requires that the account holder present a passport or other personal identification card and his/her address in Finland. The bank may also ask for an employment testimonial from the employer. A bank account can be opened despite the fact that the person has not yet received a Finnish personal identity number, but it is recommended that the person apply for the personal identity number prior to opening a bank account.

6.3. Moving your family to Finland

6.3.1. Day-care services

In accordance with Finnish law, all preschool-aged children are entitled to municipal day care either in day care facilities or with a private family. The amount of the day care fee, between 18-200 euro per month, is determined by the size and income of the family. The fee reduces for each additional child. Those with the lowest minimal income are not required to pay the fee.

Day care is provided at municipal day care facilities, with a private family caretaker or in playgroups. The options for municipal day care subsidies include the child home care allowance, which is available for parents of child under the age of 3 who are being cared for at home, and the private day care allowance, when the family opts to use the services of an approved private day care facility or hires a personal caretaker. More information concerning these allowances is available from Kela. Turku also has international day care facilities, particularly English-language nurseries. Ask about other language options which may be more appropriate for your family situation.

Applications for municipal day care can be submitted year round, and the place for your child can be granted for as long a period as the care is necessary, or until 31 July of the year that the child enters the school system. The precise date of application is generally notified in the local newspapers.

6.3.2. Schools

Every child is entitled to preschool education for one year prior to the compulsory school age, or for that year in which the child turns six years of age.

The primary education lasts nine years. Children living permanently in Finland, including children from other countries, are obligated to attend school. This means that it is compulsory for all children to complete all primary education courses. Primary school begins during the year when the child turns seven and ends when all courses have been completed, or 10 years

have passed since the child became eligible to start primary school.

A child from another country is generally placed in a class that is appropriate for the child's age and skill level. He/she has the opportunity to learn the Finnish or Swedish language in classes intended particularly for immigrant children. Additional support for immigrant students is sometimes available in certain subjects, but this may depend on the resources of the particular school in question. Such support may also, if possible, be provided in the child's native language. Some municipalities may also offer immigrant children language instruction in their native language.

Upper secondary school can be completed in 2-4 years with the matriculation examination. An immigrant student may take the Finnish or Swedish as a second language examination in place of the Finnish or Swedish matriculation test intended for native residents.

Students attending upper secondary school pay for their own textbooks and school materials. The instruction, catering and student welfare services are provided free of charge. Students at this level may also receive native language instruction or additional support in other subjects in their own native language. A student is eligible for upper secondary school provided he/she has a final report from primary school or similar proof of education. Students are free to apply to any upper secondary school of choice, but admission into a particular school is based on the student's earlier success at school. Students with foreign school reports are required to apply directly to the school of choice during the general application period. The upper secondary education may also be completed by an examination taken as a private student.

The following foreign-language schools in Helsinki offer upper secondary instruction: The International School of Helsinki, The English School, the French-Finnish School of Helsinki, the German-Finnish School of Helsinki and the

Finnish-Russian school. The School of Eastern Finland (Finnish-Russian school) operates in Imatra, Joensuu and Lappeenranta.

The International School of Helsinki and The English School in Helsinki, The International School of Vantaa, Espoo International Lower Secondary School and Espoo International Upper Secondary School, Turku International School, Oulu International School and the Voionmaa English School in Jyväskylä, and the International School Cygnaeus in Pori (classes 1–6) all provide full instruction in the English language.

The International Baccalaureate, IB, can be completed in eleven upper secondary schools throughout the country. The examination is taken in English. In addition to the schools mentioned above, there are many institutions that provide instruction for particular classes entirely or partially in a foreign language.

Within the Finnish curriculum, Finnish or Swedish as a second language is not an independent subject, but rather one course included under the subject Native Language and Literature. If a school offers separate instruction in Finnish or Swedish as a second language, the student will participate in the native language and literature lessons, and the instruction will be adjusted in accordance with the needs of the immigrant student in question. The Finnish and Swedish language instruction is not, however, limited to the language classes, since the language is used otherwise in all of the other classes provided at the school.

6.3.3. Child welfare clinics and family health care

Those family members at home, who are not working, are also entitled to sufficient health care, and to general health insurance, if their residence status in Finland is considered permanent. Applications for coverage within the Finnish social security scheme should always be done immediately, also for family members. More information and instructions are available from Kela. Most foreign employees who work in Finland for less than two years are entitled to public health services and occupational health care under the same terms and conditions as those who are permanent residents. Therefore, these employees do not need to rely on private health services. If the family member of a person working less than two years in Finland

does not have the right to use Finnish public health services, he/she may use any of the broad range of private health care services available. For those entitled to use it, the Finnish public health care system is, however, quite comprehensive.

The maternity and child welfare clinics operate as one part of the municipal health centre. The purpose of the clinics is to guarantee as good health care as possible for pregnant mothers and their children. The services provided by the clinics are free of charge. Visits to the clinics are intended for the purpose of tracking the course of the pregnancy and the child's development. Any other health issues are handled by the health centre, private physicians or a hospital.

The maternity clinic monitors the physical health of the mother and foetus, and organises labour classes for the parents. A pregnant woman is required to have a medical examination at the maternity clinic prior to the end of her fourth month of pregnancy in order to ensure her right to the maternity grant. During the course of a normal pregnancy, the woman will visit the clinic 12–15 times, generally to be checked out by a health nurse. A doctor will examine the mother 2–3 times during the pregnancy. Most health centres offer the possibility for pregnant mothers to have an ultrasound scan, usually around pregnancy week 12–16.

The purpose of the child welfare clinic is to monitor and support a child's physical, mental and social development, and, when necessary, to provide the child with more in-depth examinations and direct them to other specified care facilities. The clinics also support and assist families with matters concerning methods of raising children and overall life management. Following the child's birth, a health nurse from the maternity clinic will visit at the child's home. From that point on, the child and family are considered clients of the child welfare clinic.

It is recommended that children under the age of one visit the clinic for a medical examination eight times during the first year, four times a year between the ages of 1–2 and once a year after that. The doctor will examine a child under the age of one 2–3 times during the first year and ever second or third year after that until the child enters the school system at age 7 and automatically becomes a patient in the school health care system.

Health care is organised regionally, with each residential area having its own health care centre. In Finland, public health care is based on a health care guarantee ensuring that residents receive an appointment for non-emergency health concerns within a set time limit. The majority of care provided by the health care services is considered emergency care, in which accident victims are treated immediately and serious illnesses as soon as possible. During its opening hours on weekdays, the health centre can be reached by telephone or on a walk-in basis. The urgency for patient care can often be evaluated over the telephone by any health care professional. If it is deemed necessary to personally visit the health centre, you will be given an appointment within three days.

The treatment provided by the health centre begins during the first visit. If this is not possible, the treatment must be offered within the next three months. If the health centre is required to provide specialised care, the individual must be offered that care within six months.

Admittance to the hospital, other than the emergency room, requires a doctor's referral. Once the referral arrives at the hospital, the hospital has three weeks to assess the individual's necessity for hospital treatment. The assessment may be made on the basis of the referral or by requesting that the patient come to the hospital for testing. If the tests show that the patient requires hospital care, this care must be started within six months of the given assessment.

If your own health centre or nearest hospital is unable to treat you within the time prescribed, the town is obligated to arrange treatment elsewhere in another hospital district or in the private sector. In such a case, you will not be charged any extra fees. You also have the right to refuse treatment.

For everyone, health care is immediately available from a private clinic, and Kela will compensate for the portion of the resulting costs which are covered by the Finnish health insurance scheme, providing that the person in question qualifies for such coverage.

6.3.4. Child care benefits and family security

The family allowance is provided to ease the costs of having children. In Finland, the family allowance is paid to every family, regardless of income. The amount of the family allowance is calculated on a scale in accordance with the number of children, whereby the amount is smallest for the family's first child. The allowance is paid for all children until they reach 17 years of age. The family allowance is applied for from Kela. As long as the employee's child lives permanently in Finland and is covered by Finnish social security, the family allowance will be granted. The family allowance may be paid for a child of an employee from an EU/EEA country immediately if the employment relationship has lasted an uninterrupted period of at least four months.

All pregnant women who are permanently residing in Finland, whose pregnancy has lasted a minimum of 154 days, and who have had a medical examination with a doctor or at the maternity clinic prior to the end of their fourth month of pregnancy are eligible for the maternity grant. Any medical examinations that have been done abroad are also acceptable. The pregnant woman is free to choose the form of the maternity grant as either a maternity package or a tax-free cash benefit of EUR 140. The maternity package contains child care items and clothing. The maternity grant is increased for families who give birth to or adopt more than one child at a time. The mother must already live permanently in Finland on the date when she applies for the grant. Any mother moving permanently to Finland has the right to the maternity grant regardless of whether she is an EU/EEA resident or not.

Every mother has the right to the maternity allowance for a period of 105 weekdays, after which either parent has the possibility to remain at home and receive the parental allowance. The parental allowance is paid for a total of 158 weekdays, until the child is approximately nine months of age. If the spouse staying home has not been working, this period will be covered by basic security. Eligibility for the daily

allowance requires, however, that the applicant has lived in Finland for a minimum of 180 days during the period just before the child's due date. Those coming from EU/EEA countries can accrue the required 180 days during a period of insurance in the country of origin and this right is proven by completing an E104 form. Once the parental leave has ended, either parent can apply for child home care allowance.

In order to secure the care of small children, and offer options, parents have the opportunity to choose to care for their child in a municipal day care facility, or to receive the child home care allowance, partial care allowance or private day care allowance. Employees from other EU/EEA countries who are covered by earnings-related pension insurance in Finland, and their spouses, provided the spouse moved with the employee to Finland, are eligible to receive the child home care allowance immediately from the start of the employment relationship. This situation is, therefore, exceptional in that this right does not require that the employee has worked for an uninterrupted period of four months. A minimum employment period of two years is required for citizens from other countries. Based on the application, Kela pays the allowance related to child care, the amount of which is determined in accordance with the legally defined income limits.

All parents of children under the age of 3 may choose to apply for the child home care allowance, if they wish to stay home to care for their own child or to hire a private day care provider. The parent may take child care leave from work during this period. The home care allowance may also be paid to a family member in the home, even though he/she has not been employed in Finland. The home care allowance consists of a standard basic allowance, which is paid for each child in the family who is under school age, provided that the family has one child under the age of 3, and the supplement, which is only paid for one child and is determined by the family's size and income. In addition to these benefits, many municipalities pay an additional home care allowance, or municipal supplement. The partial care allowance is available to parents of children under 3 years of age or in their first or second year of school. This

benefit may also be paid to a parent whose child attends a municipal preschool class. The private day care allowance is intended to assist in the arrangement of day care for a child under school age who is not in municipal day care. The private day care allowance consists of a basic allowance and supplement which are paid for each eligible child in the family. The allowance is paid to the caretaker, but is applied for by the family whose children are being cared for. This benefit is provided by Kela.

The sickness allowance is generally intended to compensate for a loss in earnings due to a temporary incapacity to work, and is determined in accordance with your previous taxable earnings. The sickness allowance is paid by health insurance, also as a minimum-rate sickness allowance to those persons who are not or have not been working, if the sickness has lasted uninterruptedly for no less than 55 days. This benefit requires, of course, that the family member in the home, the spouse, is covered under the Finnish health insurance scheme. Employees, regardless of their country of origin, are always covered by the health insurance scheme if their work in Finland lasts more than four months. Finnish health insurance also provides a rehabilitation subsidy, as well as compensation for the costs of private doctor or dentist fees, examination and treatment costs, medical expenses and travel expenses related to treatments.

The medication reimbursement for prescription medicines is deducted from the price at the pharmacy provided that the customer presents a valid Kela card. The European Health Insurance Card does not yet grant the customer this same deduction. The term medicine signifies both over-the-counter and prescription drugs. Medicines are available only from a pharmacy. The pharmacy has an obligation to substitute the prescription medicine for a more inexpensive medicinal preparation if such has been listed as a substitutable medicinal product by the National Agency for Medicines. The purchaser of the medicine can elect to take the originally prescribed medicine rather than the suggested substitute. The prescribing doctor may also refuse a substitution for specific medical or treatment purposes.

6.4. Learning the language

Any foreigners working in Finland are given the opportunity to study Finnish language at any one of the numerous courses organised by different schools, institutes, adult education centres and universities, such as workers' institutes, summer universities, upper secondary schools for adults and Christian institutes. Normally, the Finnish language courses offered to employed persons are held during the evening. There are, however, language courses intended for spouses that are held earlier in the day. More information about language studies for spouses is given in the next section. It is also possible to attend Finnish language classes at a private language institute, or to hire a private teacher either for oneself or a group.

The acquisition of even the most limited language skills is a great help when attempting to adapt to Finnish society, culture and the working community.

7. Can my spouse also work in Finland?

7. Can my spouse also work in Finland?

When a foreign employee moves to Finland to work, one of the most essential factors to ensure the success of the move is the happiness and adjustment of the employee's spouse and family. The services available for the family – and the children – has been described in earlier sections. The situation for spouses is more problematic if they are looking to do something other than caring for their home and children. It may be difficult to find work in Finland, primarily as the result of insufficient abilities or complete inability to speak Finnish.

As stated in earlier sections of this guide, the spouse's residence and working permits, as well as the right to social security or related services are all determined on the basis of the employed spouse. The services for unemployed jobseekers in Finland are dependent on the following issues: whether the jobseeker's spouse has a residence permit which provides the right to work and to the services of the employment office, and whether the spouse who has come to work in Finland has been approved for Finnish social security, or whether he/she is only eligible for a portion of the social security services. If the permit enabling the spouse to work has no restrictions, the spouse may begin to work as soon as he/she finds a job. Holding this type of work permit, being freed from having to apply for a work permit, or identification as an EU/EEA citizen also entitles the person to the services of the employment office. If the person does not hold a permit enabling the right to work, he/she may still look for a job. If an employer decides to hire the jobseeker, the employer may apply for a work permit for the applicant. The local employment office is a good place to turn for questions regarding your own right to work in Finland, work permits or work restrictions.

In Finland, it is possible to search for work in a number of ways – even if you are not entitled to use the services of the state employment offices. The employment vacancies posted on the www.mol.fi website of the Ministry of Labour are available to anyone fulfilling the conditions stipulated, newspapers advertising open positions are worth following, employers can

always be directly approached, and friends and acquaintances may be helpful in a job search. Everyone is also free to use the services of private employment and recruiting agencies or temporary agencies.

If you are unable to find work on your own, you may always notify the employment office of your status as a jobseeker if you have been granted the necessary permit. You can be considered a jobseeker even if you are not entirely unemployed, but are, for instance, working part-time, for a fixed term, are on family leave or studying. Any entirely unemployed jobseeker is entitled to all of the services provided by the employment offices. The employment office also provides special naturalisation or integration services intended for immigrants. Perhaps the most important of these services is Finnish language instruction as labour market training. If you study Finnish language in a labour market training course, you can receive labour market support or a training allowance for the duration of the course. The process of working with the employment office to create a personal integration plan and employment plan will provide you with the means, through a combination of training and work periods (on-the-job training, work trial or preparatory labour market training), to open the door to Finnish working life and a job that corresponds to your own education and professional skills.

When you are notifying your local state employment office of your status as jobseeker, it is wise to take along all of your past work certificates and earned diplomas. It is extremely important to clarify past work experience and training in a detailed fashion in order to determine the best employment possibilities within your own field here in Finland. An adviser at the employment office can help to determine whether the practice your own profession is regulated or subject to a licence in Finland, and how to go about gaining a recognition of your qualifications in Finland. If there is no possibility to find work in your own field or the profession does not exist here in Finland, you also have the opportunity to train for a new line of work.

Any jobseekers moving to Finland from the EU/EEA area should contact an EURES representative in their own country prior to arriving in Finland. This representative can provide advice about any formalities involved in the moving process and the social security rights guaranteed to those moving around within the EU/EEA area. EU/EEA nationals have more rights concerning social security based on EEC legislation than those coming from outside of the EU. It would be wise to find out whether one's eligibility for unemployment security in the country of origin which might be transferred to Finland for a three-month period in order to facilitate the process of searching for jobs. You should also ask about the E301 form, which entitle EU nationals to transfer to Finland the work periods (periods of insurance) that entitle them to social security within the EU/EEA area.

8. In conclusion

I hope that this guide has been useful and has sufficiently answered any questions you might have had. The guide was intended to provide you with fairly detailed information in order to prevent the need to immediately turn to other sources of information. It is, of course, recommended that you contact the appropriate authority for any specific questions, since a general overview will never replace the knowledge of experts in their own field. As the author of this guide, I would invite you to comment on the content, for instance, if you feel that additional information would be beneficial, and I am grateful for any possible feedback and suggestions you might offer. Communications should be directed to the e-mail address given below. Please mark the subject of your e-mail with the subject 'guide'.

Turku, January 2007
Tuula Matikainen
EURES Adviser
Turku Employment Office
Employer Services
tuula.matikainen@mol.fi

Translation: Jennifer Saalinki

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