



Occupational safety and health representative – what is it about?



Occupational Safety and Health Representative

An occupational safety and health representative is a representative of the employees at the workplace. They are an employee who has been selected to the position by their co-workers.

The occupational safety and health representative participates, as a representative of the employees and in cooperation with the employer, in promoting healthy working conditions and safe working practices.

According to the law, an occupational safety and health representative and two deputy representatives must be elected at workplaces that employ at least ten people regularly. If they wish, employees may also elect a representative at smaller workplaces.

Electing an occupational safety and health representative is the employees' right and benefit. According to the law, the employer must inform the employees about their right to elect an occupational safety and health representative and that the employer must cooperate with the elected representative.

What is the difference between a shop steward and an occupational safety and health representative?

Both are representatives of employees, but their tasks are different. A shop steward monitors compliance with terms of employment, while an occupational safety and health representative monitors occupational safety and health.

Duties

The occupational safety and health representative familiarizes themselves with the working environment, working methods, and work community matters that affect employees' safety and health.

The representative cooperates with the employer in preventing illnesses and accidents and, when necessary, participates in accident investigations and provides support to employees in negotiations concerning their work capacity.

In addition, the representative familiarizes themselves with occupational safety and health legislation and other related regulations.

The duties of an occupational safety and health representative include matters related not only to physical safety but also to psychological safety and well-being. Physical safety and health risks may include, for example, slipping or falling hazards, while mental risks may include bullying or inappropriate treatment.

The representative encourages employees to pay attention to the safety and health of their own and others' work and to bring up any potential issues or risks.

The representative communicates information received from employees regarding occupational safety and health issues to be dealt with in cooperation with the employer.

Role in Cases of Inappropriate Conduct

If inappropriate conduct or other challenges causing mental strain arise in the workplace, the occupational safety and health representative supports the resolution of the situation. Employees can share concerns weighing on their minds with the occupational safety and health representative, who is bound by confidentiality.

The employer is obligated by law to intervene in inappropriate conduct at the workplace. However, in order to investigate the situation and take the necessary measures, the employer must be informed about who has been subjected to inappropriate treatment and who is perceived to have engaged in such behaviour.

At the employee's request, the occupational safety and health representative can participate as a support person in a meeting where matters concerning the employee are discussed.

The role of the occupational safety and health representative is to help both employees and the employer identify the causes of problems and find solutions. They can also make suggestions for developing practices to prevent similar situations in the future.

Rights

The position of the occupational safety and health representative is based on law. Provisions that further specify the position and rights of the occupational safety and health representative are included in collective agreements concluded by the Industrial Union (Teollisuusliitto) together with employers' federations, as well as in the agreements on cooperation in occupational safety and health matters attached to them. In this respect as well, the union has negotiated better terms than those provided by the law.

Collective agreements differ across sectors. It is important to check the details in the collective agreement applicable at your workplace.

Performing Duties During Working Hours

The occupational safety and health representative may use working time to perform their duties. The employer pays wages for this time. The amount of time that can be used for performing the duties depends on the size of the workplace. At large workplaces with hundreds of employees, the occupational safety and health representative may perform their duties full-time. At medium-sized workplaces, the time varies from a few hours per week up to half of the working time. At very small workplaces, the occupational safety and health representative performs their duties alongside their normal work.

Financial Compensation

The employer pays the occupational safety and health representative compensation in accordance with the collective agreement. The amount depends on the size of the workplace. At large workplaces, the compensation can exceed €200 per month, but typically it ranges from about €50 to €150. At very small workplaces, no compensation is paid.

Facilities and Equipment

The employer must provide the occupational safety and health representative with appropriate premises where they can store documents and hold confidential discussions with employees. The occupational safety and health representative has the right to use the employer's office and communication equipment in the performance of their duties.

Information Access and Participation

The occupational safety and health representative has the right to obtain information from the employer on matters related to occupational safety and health at the workplace in order to carry out their duties. They have the right to review, for example, documents and records that the employer is required by law to maintain.

The occupational safety and health representative has the right to review contracts concerning occupational healthcare as well as the workplace action plan prepared by occupational health care services. In addition, they have the right to participate in the processing of matters related to occupational healthcare services before decisions are made. The representative is entitled to receive information necessary for improving conditions at the workplace from occupational health care services.

The occupational safety and health representative participates in the activities of the workplace occupational safety and health committee, in inspections carried out by authorities, and, when necessary, in meetings where the employer, employee, and occupational health care services assess an employee's work capacity. The employee always has the right to bring the occupational safety and health representative along to support them in discussions with the employer.

The employer must inform the occupational safety and health representative of all hazardous situations and accidents that employees have reported to the employer. The representative also has the right to suspend work if there is a clear and immediate risk of an accident or illness.

Protection

An occupational safety and health representative may sometimes find themselves in a challenging position when defending the employees' rights to a safe and healthy working environment. Due to their position, occupational safety and health representatives are given special protection against dismissal and the weakening of their position under collective agreements.

An occupational safety and health representative cannot be dismissed for performing the duties that belong to them. Terminating an occupational safety and health representative's employment relationship for financial or production-related reasons, or for reasons related to their person, is very difficult. They also cannot be transferred to worse or lower-paid work because of their role.

This protection allows the occupational safety and health representative to act without fear of weakening their position. The protection continues for a certain period even after the representative's term has ended.

Responsibilities

By law, the employer always holds the primary responsibility and decision-making authority for occupational safety at the workplace.

The occupational safety and health representative acts as a representative of the employees and is not responsible for the implementation of workplace safety or compliance with legislation, for any accidents that may occur, or for errors or negligence committed by others.

Training

The employer is responsible for training the occupational safety and health representative.

A member of the Industrial Union serving as an occupational safety and health representative does not have to manage on their own. The Industrial Union supports their capabilities through training on occupational safety legislation and best practices. The employer pays the representative's wages during the training.

The Industrial Union's Murikka Institute offers a comprehensive learning path for occupational safety and health representatives. During training, occupational safety and health representatives have the opportunity to network, learn from one another, and receive support from their peers.

The employer pays the representative's wages during training. Accommodation and meals are free of charge for the representative, and their travel expenses are reimbursed.

Selection

Electing an occupational safety and health representative is the right of employees. The employer is not allowed to participate in or influence the process.

When planning the selection, it is important to carefully follow the occupational safety and health election guidelines issued by the Centre for Occupational Safety to ensure the process is formally correct, especially if there is no prior experience of organizing elections in the workplace. It is also advisable to contact the Industrial Union in advance.

Primary and Deputy Representatives

Two deputies are elected for the occupational safety and health representative.

If the occupational safety and health representative is temporarily unable to perform their duties, for example due to annual leave or sick leave, the deputy representative will perform those duties on their behalf that cannot be postponed. Such duties include, for example, participating in an inspection carried out by occupational safety and health authorities or investigating a workplace accident.

If the occupational safety and health representative is permanently unable to perform their duties, the deputy representative assumes their role for the remainder of the term. The deputy representative then has the full status of occupational safety and health representative.

The employer must always be informed of situations where the deputy representative performs duties on behalf of the occupational safety and health representative.

Term

The term of an occupational safety and health representative is usually two calendar years. However, a term of a different length up to a maximum of four years can be agreed on in collective agreements or through local bargaining in the occupational safety and health committee of the workplace.

Nomination of Candidates

The election begins with the nomination of candidates at least two weeks before the election date. Candidates are submitted to the election committee formed by selected employees.

When a person nominates themselves as a candidate, they must state whether they are running for the position of occupational safety and health representative or deputy representative. The election committee confirms the candidates submitted by the deadline.

All employees who are directly employed by the employer have the right to be nominated, including fixed-term and part-time employees. However, those employed by temporary work agencies or subcontractors are not allowed to run. Those acting as the employer's representatives at the workplace are not allowed to run either.

If only one candidate per position is reported to the election committee, the selection can be made without a vote through an uncontested election.

Elections

Organizing occupational safety and health elections is the responsibility of the employees. The arrangements are carried out by the election committee. The election can be conducted by voting at the workplace, or electronically or by mail.

The employer provides the election committee with a list of eligible voters, which includes all employees in an employment relationship at the workplace in question. The employer also provides premises for the election.

Once the election date has been agreed upon, the time and place of the election are announced, for example, on the workplace notice board two weeks before the election.

Notification

The election committee announces the election result. The employer is responsible for notifying the Centre for Occupational Safety of the election of the occupational safety and health representative and deputy representatives.

Occupational safety and health representatives and deputy representatives who belong to the Industrial Union must report their election to the union themselves.

FAQ

What if there is no occupational safety and health representative at my workplace?

If you are a member of the Industrial Union and there is no occupational safety and health representative at your workplace, you can contact the union directly regarding any questions and problems related to occupational safety and health. It is also worth discussing the right to elect an occupational safety and health representative with your co-workers.

Why should we elect an occupational safety and health representative?

When a workplace has an occupational safety and health representative, employees have better opportunities to express their views on occupational safety and health matters. Conditions are generally better at workplaces that have a representative.

The occupational safety and health representative monitors compliance with occupational safety and health legislation and, for example, influences the planning of occupational healthcare through occupational safety and health cooperation. Employees can ask the representative to support them in discussions with the employer on issues such as work capacity, workload, or safety.

What if there are only a few of us employees?

The number of employees does not make a difference when selecting an occupational safety and health representative. If more than 10 people are regularly employed at your workplace, it is mandatory to elect an occupational safety and health representative. A representative may also be elected at smaller workplaces.

Who can become an occupational safety and health representative?

If you are in a direct employment relationship to your employer, you can become an occupational safety and health representative. You do not have to be superhuman or know everything. It is enough to be familiar with the matters of your workplace, interested in handling shared issues, willing to learn about occupational health and safety issues, and motivated to develop your skills in listening, speaking up with confidence, and negotiating effectively.

What if I disagree with the occupational safety and health representative?

It is important to support the occupational safety and health representative and actively communicate your own views about workplace matters to them. You can also nominate yourself in the next election or encourage a co-worker to run.

What is an Occupational Safety and Health Ombudsman?

In addition to the occupational safety and health representative, occupational safety and health ombudsmen may be elected to represent personnel. Occupational safety and health ombudsmen usually represent a more limited group of employees, such as workers in a specific department or certain occupations. An occupational safety and health ombudsman does not have a statutory position or rights negotiated through collective agreements.

What is occupational safety and health cooperation?

Occupational safety and health cooperation refers to cooperation between the employer and employees to promote safety and health at the workplace. The aim is to proactively prevent accidents, illnesses, and other health risks. The occupational safety and health representative represents employees in this cooperation.

Who is the occupational safety and health manager?

The occupational safety and health manager is a person appointed by the employer who is responsible for the practical arrangements of occupational safety and health and acts as the employer's representative in occupational safety and health cooperation.

