



WORKPLACE EMPLOYEE REPRESENTATIVES

How can they help you?

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A workplace employee representative is a trusted individual who – well – literally represents employees at the workplace. The representative is one of your co-workers and is elected for the position by and from among employees.

The most common roles of workplace employee representatives are shop steward or occupational health and safety (OHS) representative. Employees, workplaces and society at large benefit from the existence of shop stewards and OHS representatives.

Want to know how?
Read more in this brochure.

PHOTO: LAURI ROTKO

Shop stewards

Shop stewards supervise compliance with the collective agreement and labour legislation. They provide PAM members with advice and support on employment, its changes and problems. They negotiate with the employer on issues concerning employees and are involved in developing the working community. Shop stewards also communicate information about PAM matters to workplaces.

A shop steward must be a PAM member. Likewise, only PAM members are entitled to vote in shop steward elections. The shop steward primarily helps and represents PAM members. However, they may represent the entire personnel in cases such as employer-employee co-operation negotiations and local bargaining.

”” Shop stewards negotiate with the employer on issues concerning employees and are involved in developing the working community.

Occupational health and safety representatives

Occupational health and safety (OHS) representatives represent all employees in matters related to occupational health and safety as well as working conditions. They participate in developing shared OHS efforts between employees and the employer, develop occupational health and safety and report any deficiencies in matters concerning health, safety and well-being, etc.

The law requires all workplaces with at least ten regular employees to elect an OHS representative. If the employees wish, an OHS representative may also be elected for smaller workplaces.

Every employee is entitled to stand as a candidate in elections for OHS representatives and to participate in electing an OHS representative for their own workplace. If an OHS representative is a PAM member, they may also participate in training events organised by PAM for OHS representatives, specifically focusing on relevant matters from the perspective of service sector workplaces.

Rights and responsibilities of employee representatives

The status and rights of workplace employee representatives are essentially determined in agreements signed by PAM and relevant employer organisations, including agreements on shop stewards and on co-operation in occupational health and safety, and collective agreements. They are also defined in legislation.

The agreements signed by PAM and employer organisations specify, among other things:

- the amount of working hours that an employee representative can spend on duties involved in the position (exemption period);
- the remuneration payable for the position;
- information that the employer must submit to an employee representative;
- any workspaces and communication equipment that an employee representative is entitled to use to discharge their duties.

The provisions and systems applicable to different agreement sectors differ to some extent.

A shop steward is entitled to receive various types of information from the company, relating to the status of employees, use of labour and corporate finances. In order to verify the accuracy of wages and salaries, they also have the right to access an individual employee's pay details with the employee's consent. They are further entitled to access the working hours register and receive details of the type of information that the company collects as part of its recruitment process, etc.

An OHS representative has the right to receive from the employer documents concerning occupational health and safety and any relevant lists that the employer is required to keep and to review the agreement on provision of occupational health care services and the occupational health care plan.

PHOTO: JUHA METSO

How can a shop steward help you?

Employees and their employer can be spared from many troubles by having a shop steward at the workplace who is well versed in their duties and who has an effective negotiating rapport with the employer. If this is the case, employees can get help from their own workplace. For the employer, in turn, a competent shop steward with access to their trade union's advisory services is a knowledgeable partner. This allows them to deal with matters correctly right from the start.

PAM and employer organisations representing different sectors agree on the minimum terms and conditions of employment as part of collective agreements. Once an agreement is signed, both parties are also committed to complying with it. At the workplace, compliance with the agreement is overseen by the shop steward. This is why it is important for the shop steward to be familiar with the collective agreement in place in their own sector. However, the shop steward cannot supervise compliance with the agreement on their own; employees must also keep an eye out to ensure that their rights and responsibilities are realised.

If there is a disagreement between an employee and the employer on an issue relating to the employment relationship or the terms and conditions of employment, and they cannot resolve it on their own, the shop steward is there to help. If that doesn't work either, the relevant employer and employee organisations will set out to resolve it. If they also fail, the matter can be brought to the competent District Court and possibly to higher courts. In some cases, a resolution on interpretation of a collective agreement is sought from the Labour Court. If the employer is not a member of any employer organisation, the matter can only be dealt with by a District Court and possibly by higher courts in the event that it cannot be resolved at the workplace.

” The most important reason for workplace disputes and disagreements concerning the provisions of collective agreements was that people were unfamiliar with the provisions.

A 2013 survey estimated, however, that about 80% of all disagreements concerning interpretation or application of collective agreements were already resolved at a local level.

In another survey conducted during the same year, representatives of both employer and employee organisations estimated that the most important reason for workplace disputes and disagreements concerning the provisions of collective agreements was that people were unfamiliar with the provisions.*

This goes to show that shop stewards come in handy. It is fair to say that the system of shop stewards benefits society as a whole, because it helps to have issues dealt with at workplace level, thus reducing pressure on the courts, for example.

Source: *Kairinen et al. Kollektiivisopimukset työehtojen turvaajana [‘Collective agreements as safeguards of the terms and conditions of employment’], 2013.

How can an OHS representative help you?

An occupational health and safety representative plays an important role at the workplace when matters relating to occupational health and safety are being addressed in practical terms.

Labour protection refers to statutory activities aimed to provide employees with a safe and healthy working environment. This involves eliminating serious health hazards, or at least bringing them under control. Occupational health and safety activities deal with development of work and ensuring the effectiveness of work. The law requires any workplace with at least 10 employees to elect an OHS representative.

The OHS representative is familiar with everyday work, and employees can turn to them with their work-related problems. Therefore, the OHS representative is in a position to explain to the employer which issues represent the greatest threats to occupational health and safety and workplace atmosphere from the perspective of employees. An OHS representative well versed in their duties is also capable of guiding employees towards safe ways of doing their work.

Occupational health and safety involves large amounts of money. It is known that a healthy and happy workplace is productive. A single occupational accident may result in major suffering and financial losses for the victim. It may also become very costly for the employer, which is always responsible for occupational safety.

Poor working conditions may also be an underlying reason for retiring on disability pension. Early retirement becomes costly for society as a whole. The amount of money spent on costs arising from occupational accidents and diseases in Finland is above the EU average.

PHOTO: LAURI ROTKO



Shop steward's duties in brief

The duties of a shop steward include:

- ensuring compliance with the collective agreement and labour legislation at the workplace and representing PAM at the workplace;
- representing employees in local bargaining based on collective agreements and any other local negotiations (employee representatives may also make proposals on local negotiations, however, bearing in mind that agreements on terms and conditions weaker than those specified in the collective agreement are not allowed);
- representing employees in employer-employee co-operation negotiations (according to law, any major changes in duties, working methods and arrangement of work that affect the position of the employees, transfers from one duty to another, personnel and training plans, termination and lay-off on financial or productive grounds or arising from business transfers must be handled in co-operation negotiations, and employees may also propose starting co-operation negotiations);
- ensuring that employees are familiar with PAM's activities and, as a result, want to join the Union.

”” *The shop steward represents PAM at the workplace.*

PHOTO: RAMI MARJAMÄKI

OHS representative's duties in brief

The role of an OHS representative includes participating at the workplace in:

- assessment and curtailment of risks and hazards;
- induction of employees into performing work safely;
- induction of employees into safe working methods;
- monitoring of compliance with safety guidelines;
- resolution and analysis of incidents occurring in business/service operations;
- creation and monitoring of compliance with a code of practice relating to the functioning of the working community;
- measures aiming to safeguard working capacity and extend careers;
- consideration (anticipation) and application of obligations brought about by new legislation in co-operation with the employer.
- The OHS representative is entitled and obliged to interrupt any dangerous work.

When an individual employee discusses occupational health and safety issues with the employer, the OHS representative may participate if the employee accepts their presence.

”” *The OHS representative is involved in contemplating how to extend careers.*



Who can become a workplace employee representative?

Everyone can learn how to deal with the duties of a workplace employee representative. The key here is a desire to deal with common issues and a desire to learn. The duties are well suited to individuals who are familiar with everyday life at their workplace and want to listen to, advise and represent employees, and to develop their workplace and function as arbiters of information.

Many workplace employee representatives say that they ended up in their role because they were already the ones finding out about things and dealing with them on behalf of their workmates.

PAM provides training for employee representatives. Employee representatives also have access to PAM's advisory services. Employee representatives are entitled to participate in training. PAM has agreed with employer organisations representing most of its sectors that participation in the basic course is considered to be paid working hours.

When you consider becoming an employee representative, the employer's attitude may feel unnerving. However, shop stewards and OHS representatives enjoy enhanced protection against dismissal under the Employment Contracts Act. This makes it easier to raise trickier issues.

PHOTO: PASI LEINO

“ Occupational health and safety involves large amounts of money. The OHS representative is familiar with everyday work and is in a position to explain what represents a safety threat from the perspective of employees.

“ The most important reason for workplace disagreements about collective agreements is lack of knowledge. For the employer, a competent shop steward is a partner with whom things can be done correctly.

**Should your workplace elect
a shop steward?**

**Does your workplace have
an OHS representative?**

More information about organising elections: [luottamusta.fi](https://www.luottamusta.fi)

More information about the duties of employee representatives: [pam.fi](https://www.pam.fi)



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