Recommendations for Ethical Recruitment

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Local Government and County Employers KT and the municipal and welfare sector's principal negotiating organisations, JAU (Public Sector Union JAU), JUKO (Public Sector Professionals JUKO) and Sote ry (Health and Social Services Sector's Negotiation Organisation Sote), have jointly issued a recommendation on ethical recruitment.

Introduction

Work-based immigration is necessary to safeguard public services as the population ages, birth rates decrease and personnel enters retirement. International recruitment refers to the recruitment of persons with foreign background who are already legally residing in Finland as well as new employees recruited to Finland from abroad. Recruiting international talent from within Finland or elsewhere in Europe is often faster and administratively lighter than from outside the EU and EEA, as such individuals already have the right of residence and right to work in Finland.

The aim of these recommendations is to support municipalities and wellbeing services counties in the ethical recruitment of foreign employees both from Finland and abroad. The recommendations focus particularly on the recruitment of people from abroad.

International recruitment must be conducted responsibly. Responsible recruitment is based on equality and non-discrimination, responds to genuine labour needs and protects employees' rights throughout the recruitment process and employment relationship. The exploitation of foreign labour must be prevented already at the recruitment phase. Employers play a key role in implementing ethical practices.

At the same time, ethical recruitment is also a key pull factor. Clear and transparent practices that respect employee rights strengthen the employer image and increase the attractiveness of the public sector among international talent. Ethical practices are, therefore, not only an important part of risk management, but also of long-term personnel planning and the means to ensure the availability of labour.

In healthcare and social welfare, international recruitment involves special obligations based on customer and patient safety and professional regulation.

Recommendations

1. International recruitment shall be based on an actual need for labour

International recruitment is one element of long-term personnel planning. Recruitment must be based on an actual and anticipated need for labour.

When planning to recruit from abroad, the labour situation, both locally and in the country of origin, must be assessed simultaneously.

Recruitment of healthcare personnel must comply with the WHO Code of Practice on the International Recruitment of Health Personnel, according to which recruitment is not targeted at countries with a severe shortage in their social welfare and health workforce (WHO health workforce support and safeguards list 2023).

2. Contractual procedures and the selection of recruitment partners shall be carried out responsibly

External service providers can be used in the recruitment process. The employer must ensure that the operations of any potential partners are responsible before and during co-operation.

The same ethical principles must apply to all parties in the recruitment chain, including subcontractors.

Contracts concerning recruitment from abroad shall:

- comply with national and international legislation
- prohibit the collection of recruitment fees from employees
- assure non-discrimination and equality
- define responsibility criteria, assessment procedures and consequences for a breach of contract.

The employer is ultimately responsible for the ethical aspects of recruitment even when external partners are used.

3. The foreign recruitment process shall be transparent and documented

The participation of employer representatives in the recruitment process in the country of origin is recommended. The timetable, selection criteria and contact persons for the recruitment process shall be communicated openly.

Applicants shall be given an honest and up-to-date description of the following:

- Finnish society, legislation and working life
- Employment prospects in the sector
- Content of the work
- Qualification requirements
- Conditions regarding the right to pursue a trade or profession
- Terms of employment and remuneration
- Language skill requirements in the sector.

Recruitment must be completely free of charge for the employee. No direct or indirect costs for recruitment, training or travel arrangements shall be incurred by the employee. The employer must actively ensure that no payments are collected through third parties either.

4. Sufficient language skills ensure customer and patient safety

International recruitment must be carried out in such a way as to ensure that the employee's competence and language skills are sufficient for safe and high-quality work that also guarantees customer and patient safety. Language training shall be a key part of the employee recruitment process and the development of skills during the employment relationship. The employer must assess the language skills required for the task before the employee starts working.

Language training shall be offered systematically both before the employee arrives in Finland and during the employment relationship. The objectives, content and quality criteria of the language training shall be defined in advance.

The employer shall facilitate and monitor the development of language skills by various means to ensure the professional growth and safe working conditions of the employee. The employee shall also take an active role and be responsible for developing and strengthening their own language skills throughout the employment relationship.

5. The terms and conditions of the employment relationship shall be equal and transparent

The employment contract and key documents shall be drawn up in a language that the employee understands. The contract shall clearly define the main terms and conditions of the employment. The terms and conditions of employment shall comply with the relevant collective agreements and be equal for all employees.

The employer must ensure the following prior to the start of the employment relationship:

- The employee has the right to practise in Finland or
- The employee has a realistic and structured path to obtain the right to practise.

6. Job orientation and two-way integration shall be ensured throughout the employment relationship

Comprehensive job orientation shall be arranged for employees recruited from abroad. In addition to information about the work itself, the orientation process shall provide information about Finnish working life, housing, public services and everyday practices. It is also appropriate to inform employees, as part of the orientation, about family services that are available to them.

The work community shall promote two-way integration by ensuring that orientation and the working community's operating methods support both the employee's inclusion and integration into working life and the ability of the entire work community to operate within a diverse operating environment.

The competence of supervisors in the management of a multicultural and diverse work community shall be strengthened.

The employer shall also ensure the work community's capacity to receive internationally recruited employees by providing training for a diverse and language-aware work community.

7. All employees shall be treated equally

It is the employer's duty to treat all employees equally. Discrimination, harassment and racism are not permitted or tolerated.

All employees recruited from abroad equally have the following rights:

- Right to participate in workplace collaboration
- Right to join a trade union
- Right to serve as elected shop stewards and occupational health and safety representatives.

The employer must also provide employees with information about their rights and the rules of working life.

8. The international recruitment processes shall be monitored and evaluated

The employer shall monitor and evaluate the implementation of ethical practices in international recruitment.

The implementation of the recommendations shall be regularly evaluated and any deficiencies shall be addressed through corrective measures. The competence of employers to implement ethical recruitment practices and to manage a diverse work community shall be consistently reinforced.

National dialogue shall be promoted as part of the implementation of responsible international recruitment.