

European (& the GCC) Employment Law Update

Jurisdiction: Finland

Date: October 2018

Impact date	Development	Impact
15 August 2018	Protection of trade secrets	<p>A new Trade Secrets Act, implementing the EU Directive on the protection of trade secrets, entered into force on 15 August 2018. The new Act replaces some provisions on the unlawful use of trade secrets and technical specifications, as well as generally harmonising the concepts and terminology related to trade secrets, so that the definition of 'trade secrets' is consistently used in the national legislation from now on. The Act lays down provisions on the unlawful acquisition, use and disclosure of trade secrets.</p> <p>The Act also defines the means for lawful acquisition of trade secrets and sets forth provisions on the preconditions for reporting misconduct and illegal activity and for the exercise of the right to freedom of expression regardless of the protection of trade secrets. The Act clarifies employees' obligations regarding their employer's trade secrets.</p> <p>Under the new Act, trade secret holders will have access to more precisely defined and more extensive remedies in infringement cases than currently. A court may impose injunctions and corrective measures on the infringer or order the offender to pay remuneration for use. A court may also order the infringer to pay compensation and damages to the trade secret holder. The district courts and the Market Court will have parallel jurisdiction in disputes concerning infringements of trade secrets in certain cases.</p>
1 January 2020 (expected date)	Reform of working hours	<p>The Ministry of Employment and the Economy has set up a working group to draft a proposal for a new Working Hours Act and Annual Holidays Act.</p> <p>The new act will safeguard employees' working time protection, while allowing flexible arrangements agreed by employees and employers. Flexible arrangements would allow employees to reconcile the demands of work and private life and employers to respond to changing production needs.</p> <p>The act would take into account the possibilities created by technological advances to work anywhere and at any time, while at the same time requiring compliance with the rules regarding working time protection.</p>

		<p>The new act would apply to all employees in contractual or public-service relationships who need working time protection. It would not apply to employees who have full autonomy over their working hours and, therefore, can take care of their working time protection.</p> <p>The new law is intended to bring Finland fully into compliance with the EU's Working Time Directive (2003/88/EC).</p>
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