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Essi Rentola & Henna Huhtamäki

Mobile Social Security



MOBILE SOCIAL SECURITY

Why do we have the Key project?



<https://www.youtube.com/embed/miXb-BjZXRM?rel=0>





FINNISH SOCIAL SECURITY SYSTEM

Residence based

Services and
benefits provided by
municipalities and
Kela

Employment based

Employment pension
Accidents at work and
occupational diseases
Unemployment



Based on employment

Earnings related pensions,
Accidents at work and Occupational diseases
Earnings related unemployment allowance



Based on residence



Residence Based Pension, Sickness benefits in kind and in cash, Parental benefits, Family benefits, Disability Benefits, Housing Allowance, Social Assistance and Social Services

Kela[®]





HAS THE RESIDENCE BASED SYSTEM A FUTURE?

Increasing Mobility	Challenges the sustainability of of the Residence based system
New forms of work	Residence based system forms a safety net





Government programme

WELLBEING AND HEALTH *Key Project*

Services to be based on customer needs

“The appropriate targeting of non-income-based transfers and social security transfers payable abroad will be examined as part of the reform of the social security system”.

Migration policy

- An independent study of the costs of migration and its impact on Finnish society will be conducted to enable facts-based discussion, better integration policies and better decision-making.

EU affairs

- “ We will be actively involved in EU-level discussions on migration policies, including social security and human trafficking. *The Finnish residence-based social security system will be clarified as part of the social security reform.*”





Legislative project

- Assessment of the grounds, principles of determining the country responsible for, and appropriateness of *non-earnings related benefits* and *other benefits paid to beneficiaries abroad* under Finnish legislation on residence-based social security.
 - Investigating the criteria for the beginning and ending of eligibility for residence-based social security of persons entering and leaving Finland.
- Analysis of the needs to clarify and amend social security legislation, taking into consideration European Union legislation
 - Examining also the connections between immigration legislation and social security legislation.
 - Analyzing the impact of EU and other international law on Finnish national legislation.
- A government proposal on changes to residence-based social security legislation is to be submitted in autumn 2018



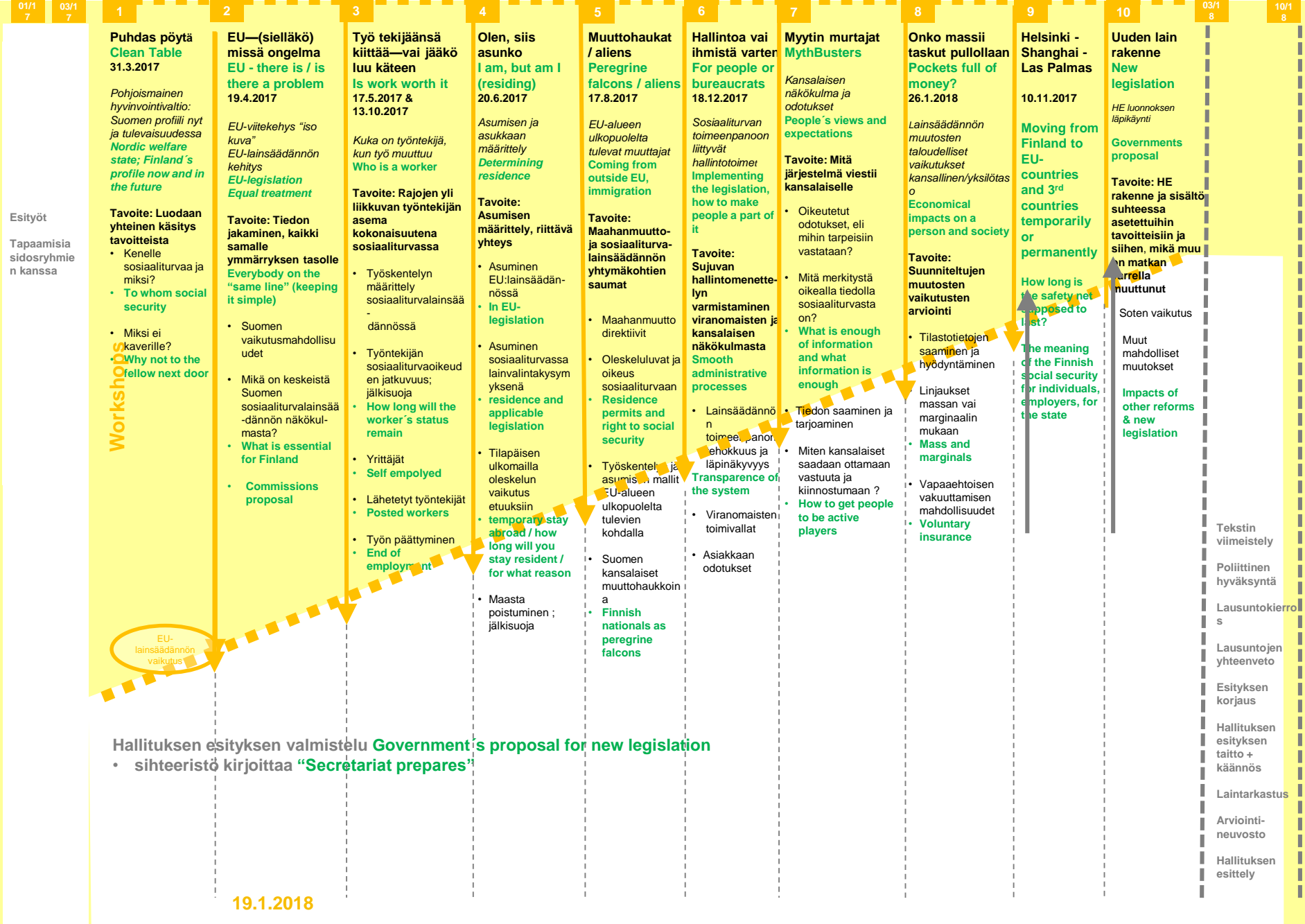


Who are participating the project

- **Ministries**
 - Ministry of social affairs and health
 - Ministry of finance
 - Ministry of economic affairs and employment
- **Labour market organizations**
 - SAK / The central organisation of Finnish trade unions
 - Akava / The Confederation of Unions for Professional and Managerial Staff in Finland
 - STTK / The Finnish Confederation of Professionals
 - EK / Confederation of Finnish industries
- **Association of Finnish Local and Regional Authorities**
- **Social security Institutions**
 - Kela/ Social Insurance Institution
 - ETK/ Finnish Centre for Pensions



Asumisperusteisen sosiaaliturvan lainsäädäntö Residence based social security (partially updated)



Hallituksen esityksen valmistelu **Government's proposal for new legislation**
 • sihteeristö kirjoittaa **"Secretariat prepares"**

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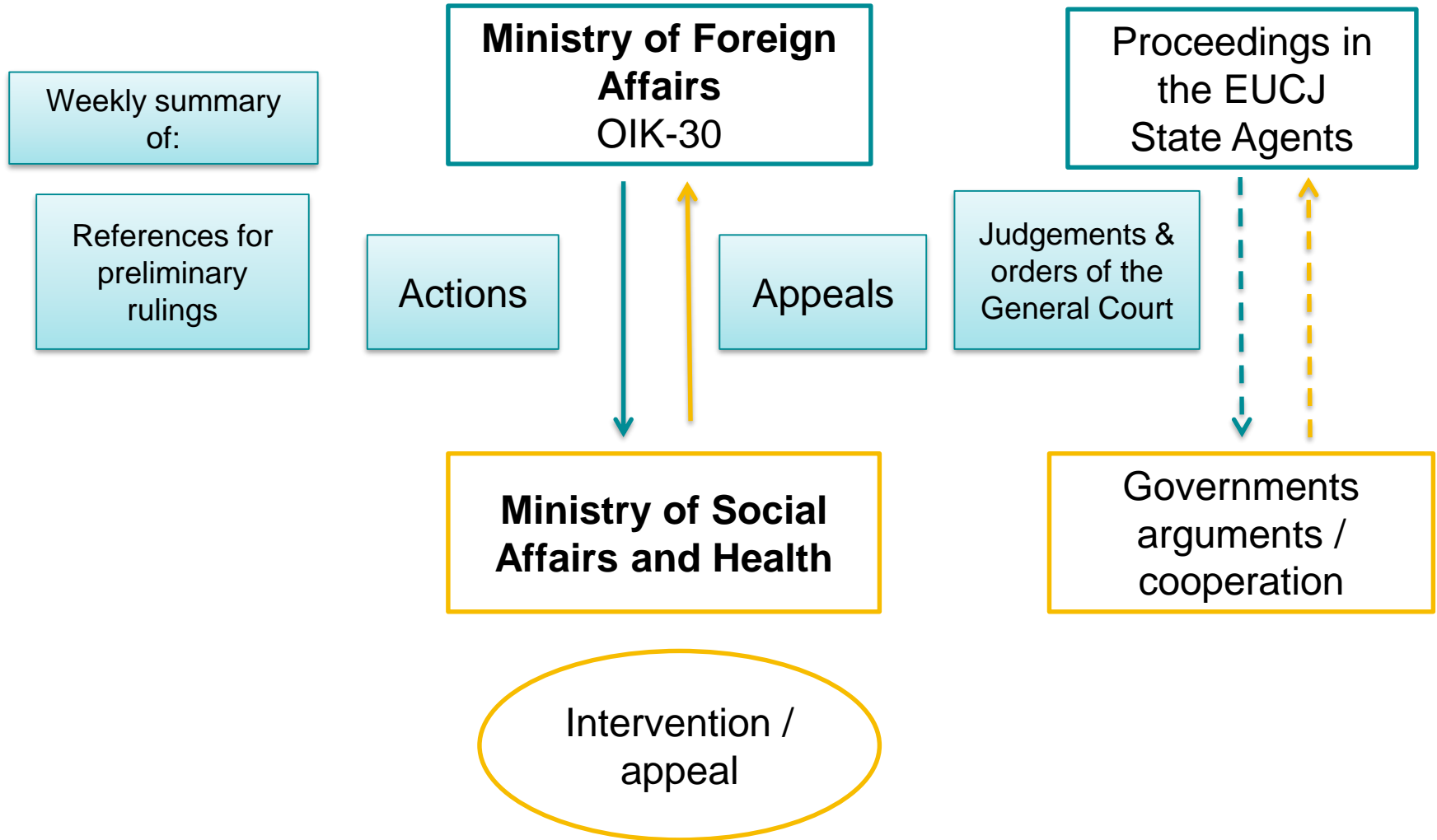


Follow up and implementation of the case law of the EUCJ





ECJ-PROCEDURE IN FINLAND





Example: Case Bergström C-257/10

- Elisabeth Bergström resided and worked in Switzerland until the birth of her daughter and then returned to Sweden.
- She applied for parental benefit at the daily sick leave benefit level calculated on the basis of the income she had from her employment in Switzerland.
- She was granted the basic parental benefit, because she was not employed in Sweden for the required 240 days before the birth of her daughter
- Questions:
- 1) *can a qualification period for income-related family benefit be completed in its entirety through employment and insurance in Switzerland?* **YES**
- 2) *is income earned in Switzerland to be equated with domestic income in the determination of entitlement to income-related family benefit for childcare?* **YES**





Example: Case Bergström C-257/10

- The national Insurance court referred to case C-257/10 in some cases, especially concerning the income earned in another MS
 - for example in a case concerning sickness allowance for a seaman, who had been a student before receiving sickness allowance and had also earnings in FI
 - broad interpretation of the Bergström case

+ difficulties in practical implementation in taking account of the income of a worker in FI in a comparable profession, with comparable professional qualifications and experience



Change of sickness insurance act that sets limits to interpretation of the case C257/10





**A more comprehensive way
of implementing ECJ case law**





Further information:

<http://stm.fi/asumisperusteinen-sosiaaliturva>

(also in English)

Ministry of Social Affairs and Health

Internet: stm.fi

Twitter: SHM_News

