

Employer's proposal on joint procurement training

This form allows the employer to submit a proposal for joint procurement training to a representative of the employment and economic development administration (TE Office/ELY Centre).

Joint procurement training is a form of labour market training in which the training is implemented as planned and acquired jointly by the employer and the employment and economic administration. Joint procurement training consists of three products: RecruitmentTraining, TäsmäKoulutus – Targeted Training, and ChangeTraining. The employer pays a share of the total training costs, determined per product. A procurement contract is made for the training.

Further information <https://www.ely-keskus.fi/yhteishankintakoulutus>

A representative of the employment and economic development administration uses the information provided on the form to process the matter and make a decision. Further information on the processing of personal data submitted on the form: [Privacy policy](#)

1. Case

ELY centers journal number (if known)

2. Employer's contact person

(The authority of the TE Office shall forward the decision on the proposal to the employer's contact person.)

Contact person's name

Contact person's position in the organization

Telephone

Email

3. Information of the employer

Name of employer

Business ID

Street address

Postal code

City

Employers' webpage

Number of employees in the company (group level)

Turnover in the previous financial year (group level)

Balance sheet total for the previous financial year (group level)

In the 12 months prior to the submission of this form, have you dismissed or laid off employees or reduced their working hours for production or financial reasons?

☐ Yes

☐ No

If yes, from which positions have staff been laid off or work terminated?

Are there other development projects planned or underway in the company (for. ex. expansion, change in activities)? If so, please describe.

4. Training need

Which training need the proposal relates to?

- ☐ New recruitment (RekryKoulutus)
☐ To develop the professional competence of existing staff (TäsmäKoulutus)
☐ Staff reduction (MuutosKoulutus)

If the training need is related to the language training of staff with foreign native language, select a service product

- ☐ Finnish language education (Workplace Finnish)
☐ Swedish language training (Workplace Swedish)

Justification for the need for training. What is the goal of the training and how does it relate to the company's development of activities? The precondition for acquiring RekryKoulutus is that the employer agrees to employ or appoint on commission at least the majority of those who have successfully accomplished the training. How do you assess the trainee employment relationships after the training (permanent/fixed term, full-time/part-time, 0-hour contract, on commission...)?

Number of trainees and job title. As an example, "Salesperson (15 persons)"

Does the entrepreneur participate self in the training?

- ☐ Yes ☐ No

If entrepreneur participates in the training, information about de minimis support in Annex 1 at the end of the form.

If yes:

Name of the entrepreneur participating in the training

Total amount of de minimis aid received by the company/entrepreneur during the current and the previous two tax years, EUR.

If the total amount of de minimis aid exceeds the ceiling as referred to in the Commission Regulation, or if the new aid exceeds that limit, no new aid may be granted.

If a possible overrun becomes known afterwards, the last instalment (or all instalments resulting in an overrun) will be recovered in full.

How have the personnel (shop steward, etc.) participated in the planning of the training?

The proposed start date of the training and an estimation of the duration of the training (as a general rule, at least 10 days per participant).

5. Preliminary training content

Name for the training
Preferred content for the training
Preferred implementation and teaching methods (eg evening, weekend, contact / distance learning)
Suggestions for potential trainers. The organization selling the training service must be a body independent of the company that submitted the proposal.
Also, to be noticed

6. Signature

<p>The representative of the employment and economic development administration checks the company's financial information, such as an extract of the company's trade register and tax debt certificate, required for processing the matter and making a decision.</p> <p><input type="checkbox"/> I declare that the above information is correct, and we authorize the processing authority to obtain all information and explanations necessary to process the proposal.</p> <p><input type="checkbox"/> I declare that the company is not in difficulty (2 art 18, 1 art 4 c) in accordance with Commission Regulation (EU) No 651/2014) and has no outstanding recovery order (1 art 4 a) where the aid has been declared to be unlawful and incompatible with the internal market.</p> <p><input type="checkbox"/> I have read the Annex 2 Report on sanctions and certify that the company is not subject to any sanctions imposed by the European Union, the UN or the Finnish authorities as listed in the Annex 2.</p> <p><input type="checkbox"/> I certify that I have the right to represent the company (right of signature or authorization).</p> <p>I agree to the electronic processing of the matter and the receipt of messages by e-mail.</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Consent to notification and processing means that the TE Office's enquiries and requests for supplementary information on matter can be requested and the decision sent electronically.</p>	
Place and date	Signature
	Name clarification

Annex1:

Information about de minimis support

De minimis aid refers to aid within the meaning of Commission Regulation (EU) No. 1407/2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid. An employer engaged in business activities may receive de minimis aid of up to EUR 200,000 over a period of three tax years (the current and two previous tax years). The maximum amount mentioned above shall take into account the financing granted by all the different authorities as de minimis aid for the period concerned. In principle, the aid may be intended for any costs incurred by the company, provided that all de minimis aid received by the company from different sources over a period of three tax years does not exceed the limit of EUR 200,000.

As an exception to the general rule, de minimis aid may only be granted in a limited manner to the following sectors:

- the maximum amount for the fishing and aquaculture sector is EUR 30,000 (Commission Regulation (EU) No. 717/2014)
- the maximum amount for primary agricultural production is EUR 20,000 (Commission Regulation (EU) No. 2019/316)
- in the sector of road passenger transport, the maximum amount of de minimis aid is EUR 200,000 (Commission Regulation (EU) No. 1407/2013), but EUR 100,000 per three tax years for companies transporting goods by road on behalf of others (Commission Regulation (EU) No. 1407/2013)

De minimis aid cannot be granted at all for 1) export promotion or export related subsidies, 2) for activities favouring domestic products at the expense of imported products and 3) for the purchase of vehicles for the carriage of goods by road for the benefit of others (Commission Regulation (EU) No. 1407/2013). The beneficiary is responsible for ensuring that the total amount of de minimis aid granted by various parties (e.g. ministries, the authorities under them, Finnvera Oyj, municipalities, Regional Councils) does not exceed the above-mentioned maximum amounts. The de minimis aid is mentioned in the aid decision.

A person working as an entrepreneur may also participate in labour market training together with their employees. In this case, the share of the purchase price of entrepreneur training paid by the TE Office is de minimis aid.

If the entrepreneur participates in labour market training implemented as joint purchase training, the entrepreneur must submit a report before the procurement decision is made, detailing the total amount of de minimis aid received by the company or entrepreneur in question during the ongoing and previous two tax years.

The tax year is a calendar year or, if the accounting period referred to in the Accounting Act (1336/1997) is not a calendar year, the accounting period(s) that have ended during the calendar year. The accounting period is usually 12 months. In the case of double-entry accounting, the accounting period may consist of a 12-month period other than the calendar year. The accounting period of companies and entrepreneurs using single-entry accounting is always the calendar year. The first accounting period starts from the date on which the company is established. When the operations start, the length of the accounting period may be longer or shorter than 12 months. However, the maximum length of the accounting period is 18 months. In the case of single-entry accounting, however, the maximum length of the accounting period is 12 months.

Annex 2:

Report on sanctions

On 21 March 2022, the Ministry of Finance issued [a guidance letter](#) to government agencies and institutions. The purpose of the letter is to clarify the information and legal basis of the situation caused by the war in Ukraine, as well as the implementation of the sanctions imposed, and to steer to a uniform procedure in government agencies with regard to the planning and guidance of operations.

EU Regulation 269/2014 on personal sanctions contains a list of natural persons and legal persons, entities and bodies whose assets have been frozen. Public procurement is suitable for the article stating that funds and economic resources must not be made available to persons subject to sanctions. The Regulation prohibits any form of assets (i.e. the transfer, directly or indirectly, of any fixed or movable, tangible or intangible assets of economic value) to an entity listed in the Sanctions Regulation.

No payments should be made to the listed person or entity. In addition, no funds or financial resources should be relinquished indirectly to the listed person or entity. Indirect relinquishment shall be subject to whenever, for example, funds are handed over in the first instance to another unlisted entity; nevertheless in such manner that they are made available to a listed entity in one way or another or for utilisation. **In practice, this means that companies owned or controlled by sanctioned entities cannot obtain goods or services, nor make a contractual payment, even if the agreement has been concluded before the sanctions were imposed.** Banks shall also monitor this in, for example, the transfer of payments.

In the case of joint procurement, it may be considered that financial resources are indirectly transferred to the contracting employer undertaking. For this reason, the employer must provide a declaration in the employer's proposal that it is not subject to the sanctions.

Employer's declaration of sanctions

1. The European Union and/or UN have imposed and may in future impose sanctions through legislation and/or decisions of their institutions. The employer declares that:

- a. the sanctions referred to above have not been imposedⁱ
 - on the employer,
 - Members of the administrative, management or supervisory body of the employer or persons exercising control, representation, decision-making or supervisory powers,
 - On the direct or indirect owners of the employer,
 - subcontractors participating in producing the goods or providing the services under this contract,
 - members of the administrative, management or supervisory body of such subcontractors or persons exercising control, representation or supervision power of such subcontractors, and
 - the direct or indirect owners of such subcontractors
- b. The employer shall immediately notify the subscriber designated in the contract if sanctions are imposed on any of the parties referred to in item a) and
- c. The activities provided for in this contract and the use of the goods produced or services provided by the employer and its subcontractors do not violate the aforementioned sanctions.

The employer shall without delay provide the subscriber designated in the contract information on its subcontractors, direct or indirect owners, and other beneficiaries. The employer also undertakes to

notify the subscriber designated in the contract without delay if the payments relating to the procurement may indirectly or directly be made available to a party subject to sanctions.

2. If

- a. the European Union and/or UN impose sanctions on the employer or on one of the parties referred to in section 1. a) above or
- b. payments relating to the procurement may indirectly or directly be made available to a party subject to the sanctions referred to herein, the subscriber designated in the contract may terminate this contract effective immediately either entirely or with respect to those goods or services subject to sanctions.

3. If these affirmations are violated, the employer is liable to compensate the subscriber designated in the contract for all damage it incurs without limitation of liability.

In the employer's proposal on joint procurement training, the employer assures that the sanctions do not apply to the employer or its beneficiary group.

ⁱ According to the EU's (2018) restrictive measures, i.e. best practices for the effective implementation of sanctions, the criterion to be taken into account when assessing whether a legal person or entity is owned by another person or entity is ownership of more than 50% of the entity's ownership rights or a majority shareholding. If that criterion is met, the legal person or entity shall be deemed to be owned by another person or entity. In the EU's best practices, eight criteria are described for assessing whether a legal person or entity is controlled either individually or under an agreement with another shareholder or third party. It is sufficient for the assessment that any of the criteria must be met, in which case it is considered that the legal person or entity is controlled by another person or entity unless demonstrated otherwise on a case-by-case basis. The criteria for the assessment include, inter alia, the right or the power to appoint or dismiss the members of the administrative or management bodies, the right to determine the majority of the members of the administrative or management bodies, and the right to use all or part of the assets of the legal person under an agreement with the other members.