

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 on de minimis aid is provided at the end of the form in Appendix 1.

If yes:

Name of the entrepreneur participating in the training

Total amount of de minimis aid received by the company/entrepreneur during the three-year period, 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 document report on sanctions on the ELY Centre website (see Appendix 2 to the form: Report on sanctions) and I declare that the company is not subject to any sanctions imposed by the European Union, Finnish authorities or the UN.</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

Appendix 1:

General de minimis aid

De minimis aid refers to aid within the meaning of Commission Regulation (EU) 2023/2831 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to de minimis aid. A maximum of EUR 300,000 in de minimis aid may be granted to an employer engaged in business activities over a three-year period. 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 years does not exceed the limit of EUR 300,000.

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) 2023/2831), but for undertakings engaged in the carriage of goods by road on behalf of others it is EUR 100,000 (Commission Regulation (EU) 2023/2831) over a three-year period

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) 2023/2831). 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 a period of three years.

The three-year period is continuously evaluated. Each new granting of de minimis aid shall take into account the total amount of de minimis aid granted in the last three years.

Appendix 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 (EU) and the United Nations (UN) have imposed and may in future impose sanctions or restrictive measures through legislation or decisions of their institutions. The employer affirms that:
 - a. no sanctions referred to above have been imposed onⁱ
 - i. on the employer,
 - ii. members of the administrative, management or supervisory body of the employer or persons exercising control, representation or supervision power of the employer,
 - iii. the employer's direct or indirect owners that are in possession of more than 50% of the proprietary rights of an entity or have majority interest in it,
 - iv. subcontractors participating in producing the goods or providing the services under this contract,
 - v. members of the administrative, management or supervisory body of such subcontractors or persons exercising control, representation or supervision power of such subcontractors, and
 - vi. such subcontractors' direct or indirect owners that are in possession of more than 50% of the proprietary rights of an entity or have majority interest in it,
 - b. the employer must immediately inform the subscriber designated in the contract if sanctions are imposed on any of the parties referred to in point 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 or restrictive measures.

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. 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 or restrictive measures if

- a. the EU or UN impose sanctions on the employer or on one of the parties referred to in point 1. a) above or
- b. payments relating to a procurement may indirectly or directly be made available to a party subject to the sanctions referred to herein, or

3. If the employer violates these affirmations, the subscriber designated in the contract is entitled to compensation for all direct or indirect damage it incurs due to the violation. The employer's liability for damages is no more than five (5) times the imputed value of the procurement contract.

Limitations of liability shall not apply if the employer has caused the damage wilfully or through gross negligence.

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 In accordance with the EU Best Practices for the effective implementation of restrictive measures (2022) (<https://data.consilium.europa.eu/doc/document/ST-10572-2022-INIT/en/pdf>), the criterion to be taken into account when assessing whether a legal person or entity is owned by another person or entity is the possession of more than 50% of the proprietary rights of an entity or having majority interest in it. If this criterion is satisfied, it is considered that the legal person or entity is owned by another person or entity. The EU Best Practices list eight criteria to be taken into account when assessing whether a legal person or entity is controlled by another person or entity, alone or pursuant to an agreement with another shareholder or other third party. If just one of these criteria is met, it is considered that the legal person or entity is controlled by another person or entity, unless the contrary can be established on a case by case basis. The criteria include having the right or exercising the power to appoint or remove a majority of the members of the administrative or management body; controlling, pursuant to an agreement with other shareholders, a majority of the members of the administrative or management body; having the right to use all or part of the assets of a legal person.