Risk assessment tool

The aim of this tool is to help contracting entities identify which procurements and contracts should be subject to sustainability and CSR measures related to preventing labour exploitation. Risk assessment is the first step of the due diligence principle and the goal is to help ensure that organisations that are responsible for public procurement are not involved in hidden labour exploitation. A successful risk assessment requires information on subcontracting chains, an understanding of the factors that make people vulnerable to exploitation, and the ability to identify vulnerable persons employed through subcontracting chains.

The risk assessment checklist on the next page helps to identify the procurements in which the risk is greatest. Public contracting entities that can identify one or more of the following risks present in the procurement, are at risk of becoming involved in fraudulent activities. The higher the number of risks, the higher the risk of becoming involved in human trafficking.

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☐ Does the procurement contract employ migrant workers/temporary labour who are in a vulnerable position in the labour market (e.g. due to language barriers) and are not likely to be familiar with the Finnish labour market rules and regulations, the collective agreement for the sector, and/or their other rights?

☐ Does the public procurement include the employment of migrant workers/temporary labour working through foreign or Finnish temporary staffing agencies or through a long subcontracting chain in labour-intensive, low-skilled and low-pay sectors?

☐ Does the public procurement include the employment of light entrepreneurs or self-employed persons working through, e.g., different invoicing service companies who are in a vulnerable position or have a weak negotiating position in the labour market?

☐ Is there a lack of transparency as to who the actual employer of the worker is or what the terms of employment are, or are the workers entrepreneurs or working through an employment contract?

☐ Have deficiencies been observed repeatedly in certain types of procurements or with regard to certain suppliers or their subcontracting, e.g., underpayment, lack of clarity with agreed working hours, issues with the submission of reports under the Act on the Contractor's Obligations or their content, or in the verification of a migrant worker's right to work?

☐ Has there been an atypical dispersion in tender prices or unusually low tender prices in certain type of procurements or business sectors that could pose a risk to labour rights violations?

☐ Does the procurement include job functions that are outsourced to migrant workers/temporary staff, who are not immediately visible to other staff/to the contracting entity because their work is performed outside of official working hours or in remote/isolated places?

☐ re services procured from business sectors in which, according to media, research, NGO reports or other sources, there is prior knowledge of problems such as use of undeclared labour, inappropriate working conditions, social dumping, labour exploitation or human trafficking?