

# Sweden

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## PART 1 – NATIONAL FRAMEWORK

### Overview

National social dialogue	Principal Level of Collective Bargaining	Industry – but much left to enterprise negotiations	
	Workplace Representation	Union	
	Board–level Representation	Yes (state–owned and private enterprises)	
National worker representation	Workplace representation for employees in Sweden is through the local union at the workplace. There is no other channel. Legislation requires the employer to negotiate with the unions at the workplace before making major changes. Many of the practical arrangements for doing so, which elsewhere in Europe are fixed by law, are left in Sweden to local negotiations.		
Principal legal documents on H&S	The 1977 Work Environment Act ( Arbetsmiljölagen). Widely referred to by the initials AML, the Act is a framework law on protection against ill health and accidents at work and the active promotion of improvements in the work environment on a continuous basis. It replaced the 1949 Health and Safety at Work Act, which had in its turn replaced an Act of 1912. The first general legislation in Sweden was the 1889 Act on Protection Against Occupational Risk in Private Industry.		
Public authorities on H&S	Enforcement of these provisions rests primarily with the Swedish Work Environment Authority – "Arbetsmiljöverket" (formerly the Occupational Health and Safety Board and the Labour Inspectorate). It is the administrative authority for issues relating to the working environment.		
Employers' obligations on H&S	Prime responsibility for the work environment rests with the employer. Employers must "take all measures necessary to ensure that employees are not placed at risk of ill health or accident"; it is stressed that this cannot be done merely by creating a service function for these matters, and that employers must create an internal safety organization which permeates the business by being in the hands of line managers with designated responsibilities. Moreover, employers must carry out internal monitoring in order to see that the Act's requirements are met. Employers should also provide arrangements for the access to a enterprise medical service.		
Worker representative bodies on H&S	Although prime responsibility for the work environment rests with the employer, part of the basic philosophy underlying the Act is that it is a matter for co–operation between all those at the workplace. This co–operation finds expression predominantly in the enterprise medical service, the safety representative and the safety committee. A safety representative (Skyddsombud) must be designated in all workplaces where five or more employees are regularly employed, or in smaller workplaces where necessary, by decision of the local union that is signatory to a collective agreement applying to the workplace concerned or, in the exceptional case where there is no such union, directly by the workforce itself. A safety committee (Skyddskommitté) must be established in all undertakings with 50 or more workers; and may be set up in undertakings with fewer than 50 where those workers so request. Regional safety representatives (Regionalt Skyddsombud) may be appointed by a local union for a workplace which has no safety committee.		
Organisation of the social dialogue on H&S issues within the country	<i>Actors involved</i>	<i>Their role</i>	<i>Scope of influence</i>
	The social partners (trade unions and employer organisations)	inform, consult, negotiate, co–decide and decide	enterprise, territory, sector
	The government	Sweden does not have a three partite body dealing with H&S issues at the governmental level	national
	Work Environment Authority	Swedish government and parliament have entrusted the Work Environment Authority with the task of ensuring that the working environment meets the requirements set out in occupational health and safety legislation. They also act as the Swedish Focal Point of the European Agency for Safety and Health and Work and coordinate	national

		representatives of government, employers and employees in a network of partners. Moreover, they represent the Swedish government on the Advisory Committee on Safety and Health at Work (ACSH) and on the Senior Labour Inspectors' Committee (SLIC) of the European Commission. Social partners have indicated that they are only represented in a discussion body at the Work Environment Authority; with only the right to speak and to make suggestions.		
Specialized H&S bodies on regional, sectorial or another level	<i>Name</i>	<i>Setup conditions</i>	<i>Composition</i>	<i>Role and functions</i>
	Prevent	Central agreement between the private social partners	N/R	Produce study material
	Sector H&S committees	Central agreement between the social partners	N/R	Give recommendations, run campaigns and produce information
	Regional safety representatives	for a workplace without a safety committee (i.e. in undertakings with fewer than 50 workers) and with at least one trade union member	chosen from outside the workforce at the workplace concerned, by decision of a local union which has a member there. Their region of operation is decided by the union which assigns them and usually covers a number of specified workplaces. In most cases th	Their duties and position are essentially the same as those of ordinary safety representatives.

## PART 2 – ENTERPRISE LEVEL: ORGANISATION OF SOCIAL DIALOGUE AND WORKERS' PARTICIPATION ON H&S AT WORK

General organisation and role on H&S issues	<p>The Safety committee (as from 50 workers) plays a central role in joint health and safety activities at workplace level. Its principal function is to establish objectives for health and safety activities and to ensure that these objectives are attained. Its involvement in all related matters must commence at the earliest possible stage in the planning and decision-making process. It is composed of representatives from both sides. Wherever possible the committee's decisions must be unanimous, and where this is so they become, for all practical purposes, binding on the employer. However, if a particular decision entails financial commitments even an unanimous decision requires, unless the committee has a special budget at its disposal provided by the employer, the backing of a work environment agreement. In the event of failure to achieve unanimity within the committee on a given matter, if one of the members so requests the matter must be referred to the Work Environment Agency for a decision, but this is extremely unusual. It is common for more detailed rules on safety committees to be laid down in work environment agreements. The safety committee may appoint work adaptation group operating under the committee's supervision in order to help them in dealing with issues relating to rehabilitation and the adaptation of work.</p> <p>Safety representatives are appointed in all undertakings employing five or more workers. They are employees at the concerned workplace and represent employees who are working at a workplace (both directly and indirectly employed by the employer). The employer is under a far-reaching obligation to keep safety representatives informed, but in addition to this they have a right to participate in negotiations and other matters necessary to their designated function.</p> <p>In undertakings with fewer than 5 workers, safety representatives may be appointed if there is felt to be a need. The Safety representative tries to have scheduled meetings</p>
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	with the employer. Nevertheless, most common are unscheduled meetings. Small enterprises with no safety committee are entitled to appoint regional safety delegates. In most small and medium-sized enterprises, the safety representatives are the only external actors in relation to health and safety.
<b>Interaction of H&amp;S representation with the general representation of workers</b>	Today, there are no works councils in Sweden other than European Works Councils. Employee consultation and participation are channelled through the established unions and exercised by way of employee representation on the board and negotiation on managerial decisions. Regulation of the working environment regulation takes place by way of collective agreements.
<b>Worker representation bodies on H&amp;S at work</b>	
<i>Implementation of worker representation in H&amp;S on enterprise level</i>	All workers. About 50 % of all work places in Sweden have a H&S representative.
<i>Thresholds of implementation</i>	A Safety committee is established at undertakings as from 50 employees. A safety representative must be designated in all workplaces where 5 or more employees are regularly employed, or in smaller workplaces where necessary, by decision of the local union (if collective agreement) or of the workforce itself. In the absence of a safety committee or a local safety representative, a regional safety representative can be appointed to access the workplace if the union has at least one member.
<i>Role of the trade unions</i>	The safety representatives are chosen amongst trade union members by the local unions that have concluded a collective agreement with the employer. In exceptional cases where there are no such unions, the safety representatives are elected by the workforce itself. In critical situations, the safety representatives usually discuss the issue with the local trade union. Quite often the negotiating mandate in H&S issues is given to the chairman of the local trade union club. At workplaces without a trade union club, the ombudsman at regional trade union organisation has this negotiating mandate.
<i>Composition, mode of nomination or election of members</i>	The Environment Act (Chapter 6 – Section 8) specifies how the size and composition of the safety committee can be determined, based upon an analysis of the work environment and the enterprise's staff profile, in the form of an agreement between the employer and the union branch. As a rule, the committee has an odd number of members and the employer will appoint one member less than the workers. The employee representatives on the safety committee are appointed in the same way as safety reps (initiative of the trade union where one is recognised at the workplace. Otherwise, elected by the staff directly). Their period of office is normally three years but can be renewed repeatedly without any limit; they can be removed from office at any time by the union that designated them. Alternates should also be appointed for safety representatives.
<i>Area of competencies</i>	The concept of the work environment is a very broad one encompassing the physical, psychological and social factors that make up the work situation. The safety representatives verify if the employer fulfils her/his duties against the work environment law. According to the law, The safety committee shall deal with questions concerning: <ol style="list-style-type: none"> <li>1. occupational health care;</li> <li>2. action plans;</li> <li>3. the planning of new or altered premises, equipment, work processes and work methods and the organisation of work;</li> <li>4. the planning and use of substances liable to cause illness or accidents;</li> <li>5. information and education concerning the work environment;</li> <li>6. job adaptation and rehabilitation activities at the workplace.</li> </ol>
<i>Functions</i>	Inform, consult, participate, co-decide. The Safety representative should be included in the process of reporting occupational accidents. He should also be consulted and included in the process of risk prevention and the systematic work for a satisfactory working environment. However they only have a representative duty towards the employees and have no employer duties such as control.
<b>Rights of workers' representatives on H&amp;S</b>	
<i>Right of withdrawal, of production stop in case of immediate danger</i>	Yes If a particular task involves immediate and serious danger to the life or health of an employee, and if no immediate remedy can be obtained through representations to the employer, the safety representative may order the suspension of that work pending a decision by the Swedish Work Environment Authority.

<i>Right to conduct surveys</i>	Yes	
	Got that right to ask the employer by law 1931 (ILO convention), but without any sanction. In 1978, the Work Environment authority got the right to use sanctions against an employer, after a request by a safety representative for a specific investigation to verify conditions within the safety area.	
<i>Right to require external assessments</i>	Yes	
	If there are doubts about the quality of the previous risk assessment or great deficiencies in the work environment, the safety representative can require that the Work Environment Authority comes to the workplace for an inspection. Nevertheless, it is important to note that the Work Environment authority has today about 30 % less capacity compared with 2006.	
<i>Right to lodge an appeal</i>	Yes	
	With support of the branch trade union. Of note, the weakest link in this process is the investigation capacity of the police.	
<i>Right to receive training</i>	Yes	
	According to the law the employer and the employee have a shared responsibility to assure adequate education for the safety representatives. These usually get her/his H&S education and training through the trade union or by a cooperation between the employer and the trade union.	
	<i>Amount of training</i>	No specific amount of time is specified in the law. As a result, time for training differs a lot.
	<i>Frequency of training</i>	For example, LO Sweden recommends 5 days for the basic training the first year (whilst the typical output is 3 days for the basic training), and 1 day for each following year (but only 40% gets that). The Council for Negotiation and Co-operation (PTK – TCO) (for white collar workers within the private sector), recommends 5 to 10 days during the first year (depending on size of enterprise) and 5 additional days of training each following year. Less than 30% of the safety reps among TCO affiliated unions have received training in H&S issues the last year.
	<i>Training providers</i>	H&S education and training is usually provided through the trade union or by a cooperation between the employer and the trade union. For example, LO Sweden recommends that the basic training is done together with representatives of the employer. This is usually the case and most common in the private service sector. SACO indicates the advantage of having the basic H&S training together with representatives of the employer. But this is not the usual case for the majority of the Saco–Sweden H&S reps. TCO also recommends joint training. There are also private educational organizers selling these courses/training.
<i>Allocated time during working hours to conduct their role</i>	Yes	
	Safety representatives are entitled to leave of absence required for the performance of their duties. Such leave of absence shall not prejudice their remuneration or other benefits. The minimum is set at 2 hours per week. However, LO–Sweden recommends not to have an agreement on allocated time, because the time needed may differ from time to time. The typical time consumption for a safety representative is about 1 hour in average/week. That is perceived to be less then needed.similarly, SACO states that safety delegates are entitled to leave of absence required for the performance of their duties, but that too many safety reps state they have problems taking the time the need to conduct there role. Finally, according to a survey TCO	

	recently did amongst safety representatives of the affiliated unions, they spend about 1 hour a week on their mission (but only 20% believe they can actually take the time necessary for their mission).
<i>Protection against sanctions, dismissals in the frame of their mandate</i>	Yes
	If the safety representative is elected by the trade union, he/she has the same protection as a trade union rep. However, the unions indicate that this protection is weaker today due to the high unemployment.
<b>Link and the nature of the relations between the employee representatives and the trade unions</b>	<p>About 90 % of all LO safety representatives perceive a good support from the trade union. Usually the head of the representatives is a member of the board of local trade union club. At work places with only one safety representative, the regional safety representative is the link to the regional trade union office.</p> <p>Also at SACO, many of the safety representatives perceive a good support from the trade union. The cooperation and link varies: sometimes the head of the H&amp;S reps is a member of the board of local trade union branch; sometimes –at really small workplaces– the H&amp;S rep also has the role of a shop steward.</p> <p>According to TCO, about 95 % of all safety reps perceive a good support from the trade union, and 9 out of 10 perceive a good support from their colleagues. Usually safety reps are a member of the board of local trade union club. At work places (smaller work places) with only one local safety rep, the regional safety rep is the link to the trade union office.</p>

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### PART 3 – ASSESSMENT OF THE SOCIAL DIALOGUE AND WORKERS' PARTICIPATION IN THE COUNTRY

#### *Evolution*

<b>Significant changes within the various instruments on H&amp;S issues during the last 5 years</b>	Yes	
	<i>Objectives of these changes</i>	The closing down of The National Institute of Working Life (w e have a big need for the cohesive strength of a knowledge center in the area of work environment –working life and to lift R&D questions more in this area); the reduction of the budget of the Work Environment authority by 30%; less financial support from the state (government grants) for the regional H&S representatives (decreased in value during the past 5–10 years, although the need has increased) and for training. Moreover, the right wing government has suggested a decriminalisation of the work environment law.
	<i>Management of these changes</i>	By law and by decision without discussion.
	<i>Effects on the improvement or deterioration of the handling of these issues</i>	Less quality in the labour inspection. Harder to get hold of new research in the H&S area. Harder to get education and training for the H&S reps. Problems to recruit regional H&S reps.
<b>Assessment of the achievements on H&amp;S issues through social dialogue</b>	Deteriorating	
	<i>Some important milestones</i>	Since mid 1990–ties this deterioration is linked to the accelerated introduction of the post Fordistic production system, together with a rise in unemployment. After 2006, see above.

#### *Perspectives to achieve a good social dialogue and workers' participation on H&S issues*

<b>Missing factors</b>	A government setting up a three partite advisory committee at a governmental level (according ILO convention 187 and ILO recommendation 197); More resources to the labour inspection; A knowledge center in the area of work environment –working life (R&D), together with a reconstruction of the occupational & health services working pro-actively and with sector knowledge. More resources for education and training for
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	the safety representatives. More resources for regional safety reps. Strengthen the important key actors.
<b>Existing key success factors</b>	A locally active trade union, with support from regional level able to act in a uniform manner on a central level together with other trade unions.

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## PART 4 – APPENDICES

### Glossary

<b>Skyddsombud</b>	<i>Safety representative</i>
<b>RSO (Regionalt skyddsombud)</b>	<i>Regional safety representative</i>
<b>FHV</b>	<i>Occupational health &amp; safety service</i>
<b>HSO</b>	<i>Head of the safety representatives. Exists where there are more than one safety rep.</i>

### Interesting links

– <a href="http://www.av.se">http://www.av.se</a> (Swedish Work Environment Authority)
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### Sources

<b>Trade union contacts</b>	<b>LO – The Swedish Trade Union Confederation</b>	Gellerstedt Sten & Järnstedt Christina
	<b>TCO – The Swedish Confederation for Professional Employees</b>	Fromm Jana
	<b>Saco – The Swedish Confederation of Professional Associations</b>	Fristedt Karin
<b>Other</b>	– <a href="http://www.worker-participation.eu">http://www.worker-participation.eu</a> – Questionnaire replies (3) – Work Environment Act – Eurofound – EU OSHA	