

The Equality Ombudsman

December 7 2015

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- Requirements by law
- Evaluation of work demands
- The gender pay gap

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The legal base for the work carried out by the Equality Ombudsman

- Act concerning the Equality Ombudsman (2008:568)
- **Discrimination Act (2008:567)**
- Parental Leave Act (1995:584)

Important aspects of the discrimination act

Chapter 2

**Prohibition of
discrimination
and reprisals**

Chapter 3

**Active measures
to bring about
equal rights and
opportunities**

Chapter 4

**Monitoring and
sanctions**

Active measures

- Active measures to bring about equal rights and opportunities in working life
- Collective nature
- Cooperation (3rd chapter, sections 1-2 §§)
- Goal oriented (3rd chapter, section 3)
- Detailed regulations (3rd chapter, sections 4-13 §§)

The employer's obligations

Regulation about	§§ DL
Working conditions	3rd Chapter, sections 4-6
Recruitment	3rd Chapter, sections 7-9
Matters of pay , survey	3rd Chapter, section 10
Matters of pay , action plan	3rd Chapter, section 11
Matters of pay, duty to inform	3rd Chapter, section 12
Gender equality plan	3rd Chapter, section 13

Matters of pay

- All employers are required to
 - Survey and analyse provisions and practices and pay differences
 - Cooperate with their employees
- Employers with 25 or more employees are required to
 - Draw up an action plan for equal pay
- Every three years

Section 10

In order to discover, remedy and prevent unfair gender differences in pay and other terms of employment, every three years the employer is to **survey** and **analyse**

- **provisions and practices regarding pay and other terms of employment** that are used at the employer's establishment, and
- **pay differences** between women and men performing work that is to be regarded as **equal** or of **equal value**.

The employer is to **assess** whether existing pay differences are directly or indirectly associated with sex. The assessment is to refer in particular to differences between

- women and men performing work that is to be regarded as equal, and
- groups of employees performing work that is or is generally considered to be dominated by women and groups of employees performing work that is to be regarded as of equal value to such work but is not or is not generally considered to be dominated by women.

- Section 10
 - Provisions and practices regarding pay and other terms of employment.
 - Pay differences within equal work
 - Pay differences between groups performing work of equal value

Section 11

Every three years employers are to draw up an action plan for equal pay in which they report the results of the survey and analysis described in Section 10. The plan is to **indicate the pay adjustments and other measures** that need to be taken to bring about equal pay for work that is to be regarded as equal or of equal value. The plan is to contain **a cost estimate and a time plan** based on the goal of implementing the necessary pay adjustments as soon as possible and within three years at the latest.

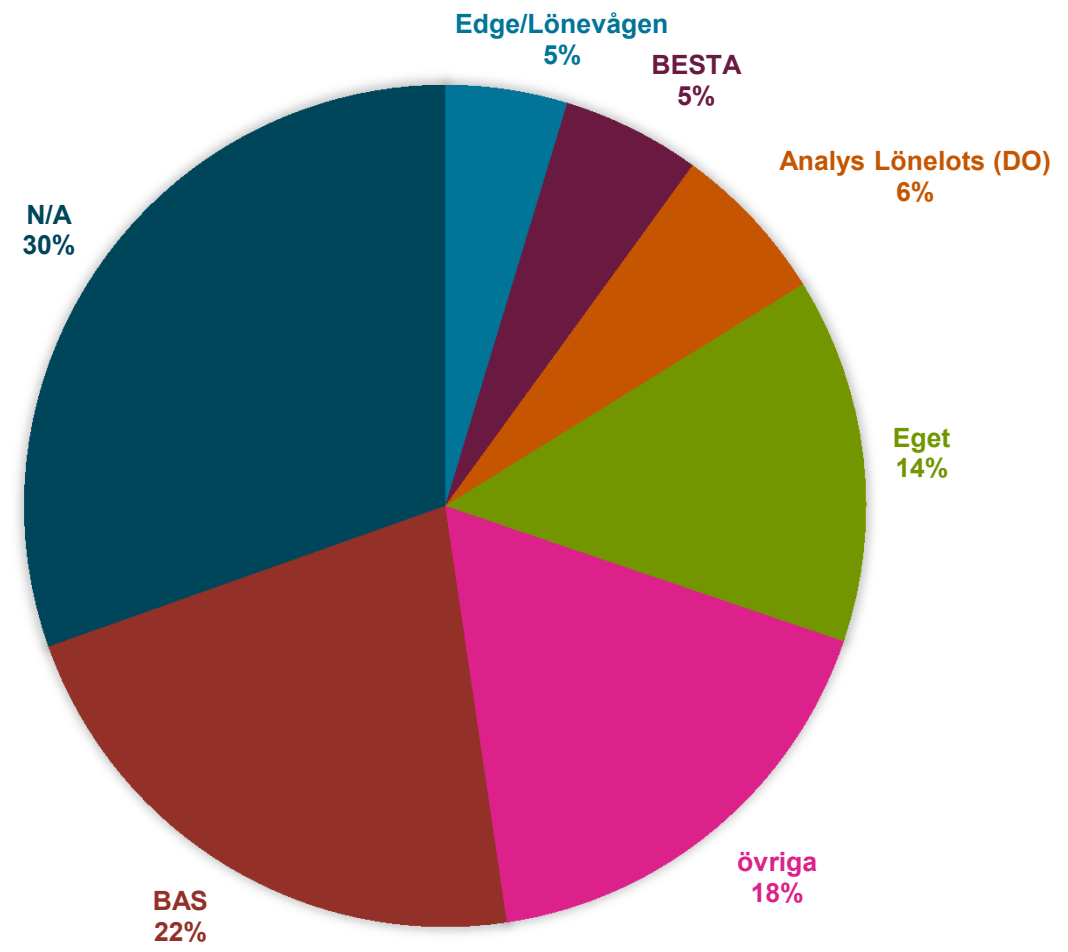
A report on and evaluation of **how the planned measures were implemented** is to be included in the next action plan.

The obligation to draw up an action plan for equal pay does not apply to employers who employed fewer than 25 employees at the start of the latest calendar year.

- Section 11
 - pay adjustments and other measures
 - a cost estimate and a time plan
 - report on and evaluation of how the planned measures were implemented

- Evaluation of work demands

- Work is to be regarded as of equal value to other work if, on an overall assessment of the requirements and nature of the work, it can be deemed to be equal in value to the other work. The assessment of the requirements of the work is to take into account criteria such as knowledge and skills, responsibility and effort. In assessing the nature of the work, particular account is to be taken of working conditions.
- Requirements, example:
 - Knowledge and skills
 - Responsibility
 - Effort and working conditions



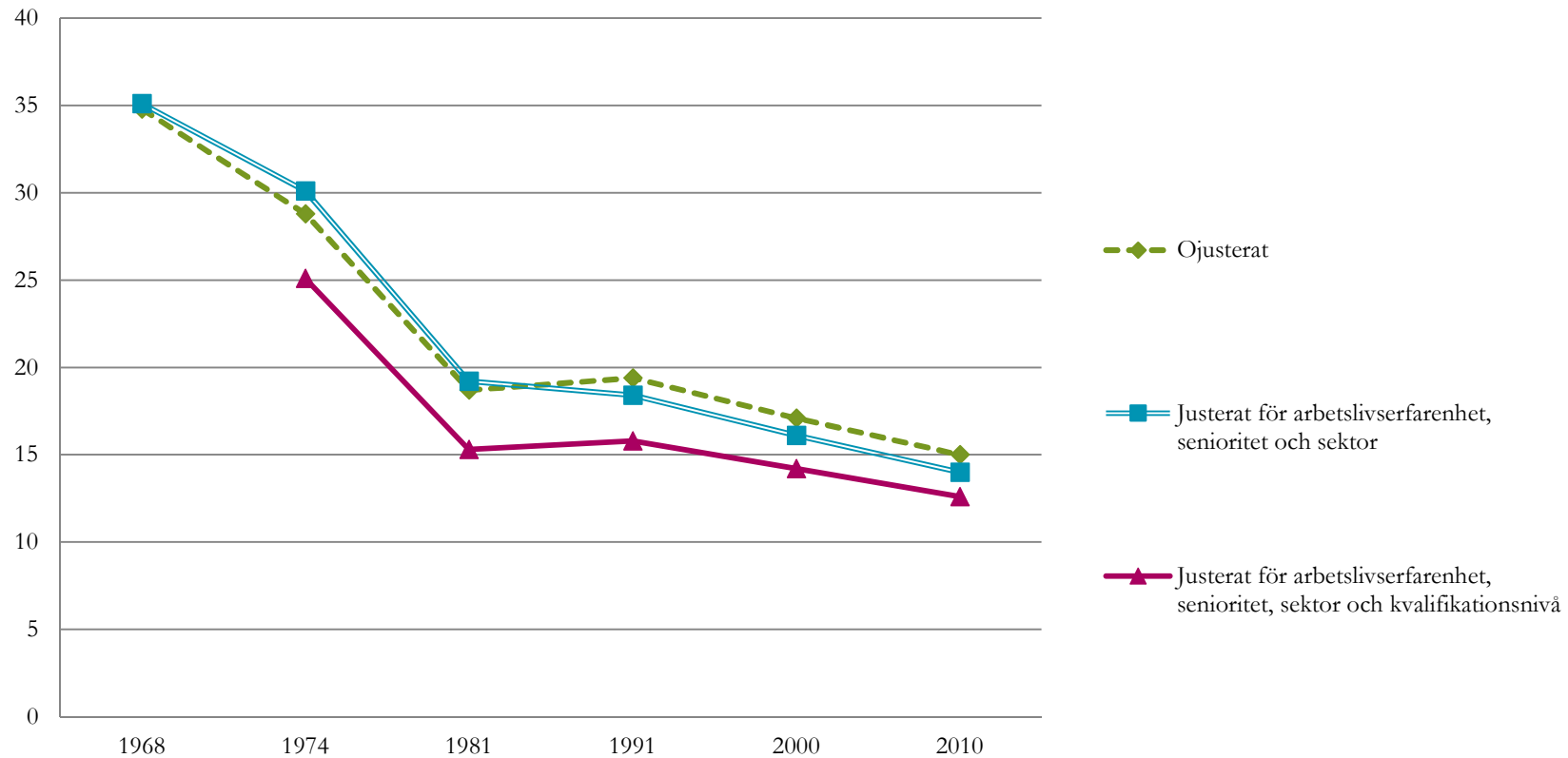
- The survey and the pay gap
 - The survey is a method to discover differences in pay
 - Planned adjustments as a result of the survey in the actionplan
 - Sanctions

Women's pay as a percentage of men's pay, taking into account differences in profession, sector, education, age and part-time employment 2005–2013.

	2013	difference 2005–2012
Samtliga sektorer	94,2	1,0
Privat sektor	93,0	1,3
Arbetare	95,7	1,3
Tjänstemän	91,4	1,2
Offentlig sektor	97,0	0,5
Kommuner	99,4	0,3
Landsting	95,6	0,9
Staten	94,8	1,9

Source: SCB och Swedish National Mediation Office

Gender pay gap 1974-2010 (timlön) (Boye et al. 2014), regressionsanalys



source: Level-of-living survey (LNU) 1968, 1974, 1981, 1991, 2000 och 2010.

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