



# Employers' responsibility for taking active measures - an overview

Active measures are prevention and promotion measures aimed at preventing discrimination and serving in other ways to promote equal rights and opportunities.

As an employer, you are required to take active measures to prevent discrimination on all grounds covered by the Discrimination Act: gender, transgender identity or expression, ethnicity, religion or other belief, disability, sexual orientation and age.

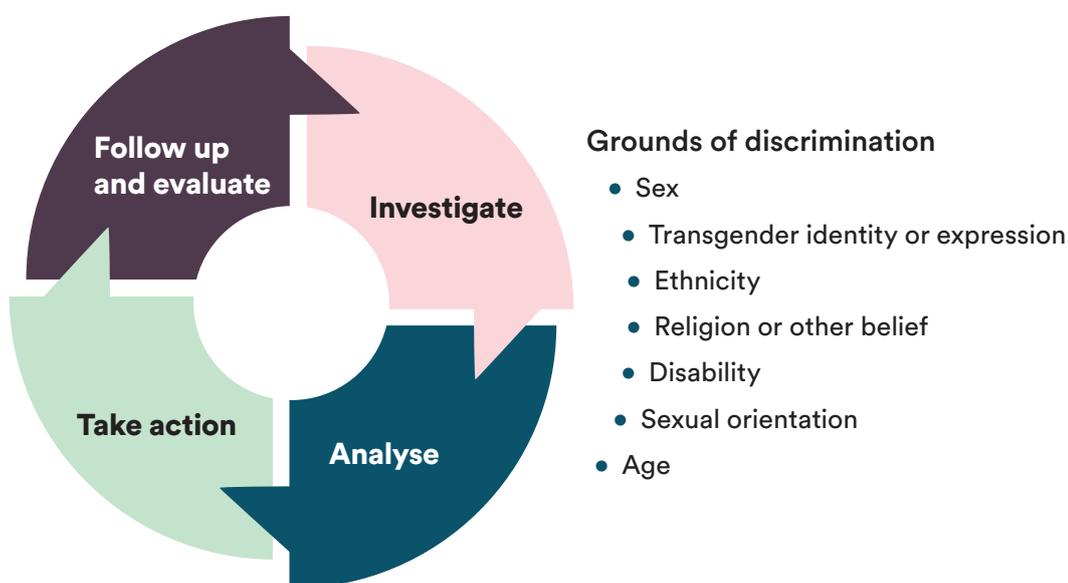
The provisions on active measures entail that all employers are obligated to

- continuously apply a four-step approach (investigate, analyse, take measures and monitor/evaluate) within the following five areas:
  - working conditions
  - provisions and practices regarding pay and other terms of employment
  - recruitment and promotion
  - education and training, and other skills development
  - possibilities to reconcile gainful employment and parenthood.
- promote gender balance in different types of work – including in management positions
- establish, follow up and evaluate guidelines and routines to prevent harassment, sexual harassment and reprisals
- carry out annual pay surveys.

The provisions on active measures in the Discrimination Act were amended as per 1 January 2017. This information sheet provides an overview of these new provisions. Read the Discrimination Act in its entirety on DO's website: [www.do.se/other-languages/english](http://www.do.se/other-languages/english).

Employers with at least 25 employees are required to document all elements of their work on active measures. Employers with between 10 and 24 employees are required to document their work on pay surveys. Employers with fewer than 10 employees have the same responsibility for taking active measures as larger employers, but there is no legal requirement for them to document their work in this area.

The work on active measures must be performed in cooperation with employees. Employees are often represented by trade union organisations, but they can also appoint their own representatives in a liaison group.



## Four steps – seven grounds of discrimination – five areas

Employers are required to continuously apply a four-step approach within the following five areas:

- working conditions
- provisions and practices regarding pay and other terms of employment
- recruitment and promotion
- education and training, and other skills development
- possibilities to reconcile gainful employment and parenthood.

### 1. Investigate risks and obstacles

The employer is first required to examine the workplace in order to identify any areas entailing risk of discrimination or reprisals, or any other obstacles to employees' equal rights and opportunities. Such obstacles may be both tangible and/ obstacles in the form of attitudes, norms and structures.

## 2. Analyse causes

Following the investigation, the employer shall analyse the causes of any risks and obstacles discovered. This involves reflecting, analysing and drawing conclusions about why they are present.

## 3. Take measures

As a third step, the employer shall take the prevention and promotion measures can reasonably be demanded, given the outcome of the investigation and analysis.

It is not possible to specify in general terms which measures an employer should take. Instead, this must be assessed on the basis of needs, resources and other circumstances of the specific situation present. Generally, however, every employer is obligated to take measures in order to eliminate any identified risks or other obstacles.

## 4. Monitor and evaluate

The fourth and last step involves monitoring and evaluating the investigation, analysis and measures taken. An employer can later use this evaluation when initiating the investigation phase of their next cycle of work on active measures.