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**Equal Opportunity Policies
in Sweden**

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7 EQUAL OPPORTUNITY POLICIES IN SWEDEN

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1. INTRODUCTION

There are a large number of policies and instruments directed to promote equality between men and women in Sweden. Sweden has previously stressed social policy instruments rather than antidiscrimination rules. It was not until 1980 that the Act on Equality between men and women at work was passed.

Among the important social policy means should be mentioned separate taxation of earnings of husband and wife which has the effect of increasing the payoff to more equal distribution of paid work. Paid parental leaves for child-care not only for mothers but also for fathers is believed to be important. State subsidized daycare centers have been built. Supply of places at daycare centers does however not meet demand.

Some facts are still very discouraging for proponents of equality between men and women in Sweden. Other facts are more heartening. Among the more encouraging of these is the development of labor force participation. Swedish women have a labor force participation rate that is rapidly approaching that of men. Women make up 46 per cent of the total labor force. In 1982 the male rate of labor force participation for ages 16-64 was 86.3 per cent and the female rate was 76.9 per cent. The highest labor force participation rate of women is in the age group of 35-44 where it is 87.3 per cent. The corresponding male rate in this age group is 96.3 per cent. Women have entered the labor force and the trends show no sign of levelling off in spite of the decreasing level of economic activity in recent years. In 1980 about 37 per cent of the total wage and earnings bill was paid to women. Men consequently earned 63

per cent of total Swedish labor income (1). One of the most important reasons for this is the large proportion of part time workers among women. In 1982 46.6 per cent were part time workers. In addition to the large share of part time workers it is important to note that because of generous leaves of absence in connection with childbirth the absentee rate has increased in Sweden. At the time of childbirth and care of newly born infants, Swedish mothers continue to be employed but on leave, whereas in countries with less generous parental leave mothers give up their jobs and are considered out of the labor force.

One of the most discouraging facts is that sex segregation by occupation is very pronounced. Occupational segregation is dealt with more in detail in Christina Jonung's chapter of this volume. In addition to occupational segregation within the same occupation women have the less prestigious positions. 34.5 per cent of the men in the private sector who have a degree in business administration have managing positions while only 8.5 per cent of women do so (2). Of all managing directors mentioned in an industry directory only 28 out of 2 341 were women (3). The same pattern applies to the government sector. In spite of the fact that women make up 60 per cent of all school teachers their share among heads of schools is only 14 per cent (4).

The purpose of this chapter is to describe equal opportunity policies in Sweden. Those interested in the development of labor force participation and earnings of Swedish women are referred to other chapters of this volume and other work (5).

The outline of the chapter is first to give a description of some of the most important social policy instruments that have been used in the work for equal opportunity for women and then describe the anti-discrimination legislation.

2. SOCIAL POLICIES TOWARD EQUALIZATION

2.1 Education and Occupation

The first prerequisite in the road towards equality between men and women in the labor market is to open all education and occupations to women.

We do not have to go back far in Swedish history to find that occupational and educational choices for women were restricted. Until the middle of the 19th century women lacked legal capacity. They were supervised by their husbands if married and by their fathers or brothers if unmarried. They could not sign any contracts; that is to say, no work contracts could be concluded. Restrictions were gradually abolished. In 1958 an unmarried woman was made legally responsible automatically at the age of 25. Demographic changes led to a much larger proportion of adult unmarried women (6). According to Gunnar Qvist (1978) it was not desirable to emancipate women but rather to diminish economic burden for brothers and fathers that made the parliament take the decision to extend freedom of trade to unmarried women in 1846. Public employment was opened to women for the first time in 1858 when women were allowed to teach the first years of elementary school.

Some restrictions were introduced to protect women from danger. In 1901

there was a ban on women working underground in mining and quarrying, in spite of the fact that the ban was opposed to by women active in the labor movement. This restriction was later removed and no work is now legally considered for women, with the exception of many military occupations. In 1958 a law was passed to admit women into the "state church" of Sweden. This could be done only after allowing those ministers who had "confessional doubts" to refuse working with female colleagues.

Beginning in the middle of the 19th century the Swedish people's school (folkskola) system was developed to teach elementary reading, writing and Bible studies to everyone's children, boys as well as girls (7). Parallel to this, secondary schools were developed for boys only (realskola and gymnasium). The student could graduate from the realskola after 4+5 years of schooling or continue in the gymnasium. After 4+4+4 years of schooling in folkskola, realskola and gymnasium respectively, the student got the "studentexamen" certificate and qualified for university studies (8).

During the 1860's a separate school system for girls was developed, the girls school (flickskola). The "flickskola" was a kind of secondary school that had as much training as the secondary schools for boys (realskola) in the humanities but much less in the natural sciences and mathematics (Kyle, 1979). Girls entered the "flickskola" after the fourth grade in the elementary school, and it took seven years to finish. "Flickskolor" existed as separate schools until the beginning of the 1960's (9).

The parallel system was abolished beginning in 1950 with the decision to gradually extend compulsory schooling to 9 years and from 1962 the "grundskola" was introduced, meaning that the "folkskola", the "realskola" and the "flickskola" were integrated into a single school. The idea behind the comprehensive grundskola is that more equality and understanding between people is achieved if children are not segregated at an early stage in life.

The Swedish equality concept emphasizes the individual as opposed to the family. Today young women have the same opportunities as men to participate in any education including university studies. Very important in this respect is that students loans and subsidies are not made dependant on parent's income, but the individual young man or woman is considered solely on the basis of his or her own income. This means that parents cannot exclude daughters from higher studies even if they favor and subsidize such for their sons.

Sweden has a policy of no tuition at all for any kind of schooling. For financing costs of living of university students, state-subsidized students loans with a grant part are available. In the Swedish system parents do not have to carry a heavy financial burden that is concentrated in a few years; individuals do not depend on their parents for receiving a higher education (10).

Student loans were long dependent on the spouse's income. Often married women who are in low paid jobs want to increase their earning power by acquiring new education after their children have grown up. If student loans are dependent on husband's earnings, the wife cannot leave her job in order to go to school because her earnings are needed to meet the costs of the family. In 1980 student loans were made indepent of the spouse's income, resulting in better opportunities for adult women to participate in re-education. In Table 1 the educational distribution of the Swedish population in 1980 is given. There are much bigger differences between age groups than between men and women

when the educational achievements of different demographic groups are compared. Within the group of people with secondary training men have received longer training than women. The proportion of university trained men with the longest education is also larger than the corresponding proportion for women. The main impression is, however, that women have about the same amount of education as men.

Table 1
Distribution by educational level of the Swedish population in 1981

	20-24		25-34		35-44		45-54		55-64	
	f	m	f	m	f	m	f	m	f	m
Compulsory										
less than 9 yrs	3.1	4.0	12.9	14.1	33.2	36.7	52.9	52.2	67.0	62.2
9 years	21.9	23.8	18.0	17.1	13.7	9.1	9.0	5.9	8.7	4.7
	25.0	27.8	30.9	31.2	46.9	45.8	61.9	58.1	75.7	66.9
Secondary										
1 year	10.9	6.5	15.8	6.9	16.2	7.3	13.5	7.9	8.3	7.7
2 yrs or more than one	30.4	35.5	15.7	20.8	11.7	11.4	8.5	9.1	4.7	6.8
more than 2 yrs	17.4	21.1	11.8	19.1	7.1	14.7	3.8	11.0	3.6	8.8
	58.7	62.1	43.3	46.8	35.0	33.4	25.8	28.0	16.6	23.3
University										
less than 2 yrs	12.0	6.5	11.5	8.4	7.3	5.4	4.9	4.4	3.3	1.8
more than 2 yrs	4.1	2.2	14.0	12.6	10.1	13.9	7.0	7.8	3.7	7.0
	16.1	8.7	25.5	21.0	17.4	19.3	11.9	12.2	7.0	8.8
Total population	99.8	98.6	99.7	99.0	99.3	98.5	99.6	98.3	99.3	99.0

Source: Labor Force Surveys ("Arssysselsättningen 1980 och Utbildningsnivån februari 1981, Tillägsfrågor till Arbetskraftsundersökningen, AKU, i februari 1981"), investigation, education and retrospective survey. National Central Bureau of Statistics, SCB.

2.2 Maternity Protection and Parental Leaves

Maternity protection has existed since the beginning of the industrialization (11). In the year 1900 an employer was forbidden to put a woman to work earlier than 4 weeks after childbirth. This restriction was extended 2 weeks before and 6 weeks after childbirth in 1912. The right to leave of absence before childbirth was extended in 1931 and again in 1948 when there was a right to leave 6 weeks before birth and it was made unlawful to employ a woman earlier than 6 weeks after birth.

However, women were often dismissed when they married or became pregnant. In 1939 a law protecting women from dismissal because of childbirth or marriage was introduced. It stated that the woman had a right to be absent 12 weeks without being dismissed. In 1945 this period was extended to 6 months. Not until 1962 was this 6 months leave of absence turned into a paid leave of absence.

The law of 1945 was effective until the first law of parental leave was in-

stituted in 1974. It was in the act of 1974 that parental leave was introduced. It gave parents a choice so that either the mother or the father could stay home from work without being dismissed.

In 1975 a second kind of childcare leave was introduced, called leave for "occasional care". Parents got the right to stay home from work to take care of the children when they got sick. At introduction there was a maximum of 10 days per child per year allowed but it has later been extended to 60 days per child per year. Fortunately, Swedish children are not often sick. The average number of days used per child is 5.5 as shown in table 2 B.

In 1978 a third kind of child care leave was introduced, called the "special child care leave". This last reform can be used in a number of different ways. It can be used to lengthen the period of leave absence in connection with childbirth. It can also be used to take leaves of absence at special periods in your child's life when there is extra need for such, i.e. during the first school year. The allowance is 180 days of which the first three months are given full earnings compensation and the next three months a per diem allowance equal for all of SEK 37 (12) is provided. In 1979 in addition to all this, either of the parents were given the right to shorten work hours without compensation to six hours a day until the child is 8 years old.

The Swedish law on parental leaves distinguishes four different rights to child care leave:

- 1) leave to care for the newborn
- 2) occasional care for sick children
- 3) special child care leave to be used with great flexibility
- 4) the right to reduced working hours.

A special paid leave has been introduced (havandeskapsledighet) for mothers, whose work is too hard for a pregnant woman to perform, to compensate for the fact that such mothers otherwise must take time before birth. The right to this leave is given only for special circumstances and if the employer is unable to offer lighter work during pregnancy.

The earliest regulations on rights to leaves of absence were not connected with any kind of economic subsidies. The first maternity allowance introduced in 1937 included only mothers who were in need of economic assistance. In 1954 the maternity allowances were connected to the mandatory national health insurance system.

The subsidies are paid out of tax money and not by the employer. An employee must qualify for the rights to parental leave by having worked with the firm for 6 months during the year or 12 months altogether during the past two years. Exempted from this work requirement is leave of absence for occasional care of sick children and 6 weeks before and after birth for the mother. The employer must also be given notice two months in advance, if a parent is going to take advantage of the leave of absence. The notice is necessary since paid parental leaves include fathers and also include adopted children.

The regulations of the Swedish maternity and parental leave make it economically very important to first be established in the labor market and then have a child. The benefits are paid to compensate for loss of income. A woman who gets a child directly after school or while in school does not have

Table 2 A
Per cent absent of employed due to child care leaves in Sweden 1980

Beth Sexes	Paid parental leave		Unpaid child care leave	Own sickness	Vacation	Total absence ^a
	at child's birth	other including occasional care				
Men and women	1.3	0.2	0.2	4.3	9.0	17.8
Men	—	0.3	—	—	8.6	15.6
Women	2.7	0.2	0.5	4.7	9.4	20.5
Women with children under 7	12.6	1.1	2.4	3.9	8.8	31.7

^a Forms of absence not separately shown are leaves for studies (1.2 per cent of all employed), week off schedule (1.1 for all employed), military service (0.9 per cent of employed men equals 0.5 for all employed).

Source: Tables 4 and 5 of RRV 1980: 1242.

Table 2 B
Days paid parental leaves subsidies

	At child's birth		Occasional care		Average number of days used ^c
	Thousand days per year ^a	% used by men	Thousand days per year ^a	% used by men	
1974	16 726	0.5	689	39.9	3.9
1975	15 980	1.2	958	40.4	4.1
1976	15 781	1.7	1 076	40.6	4.1
1977	16 185	2.7	1 850	46.3	5.0
1978	18 075 ^b	4.8 ^b	2 416	53.3	5.4
1979	20 107 ^b	5.1 ^b	2 855	52.8	5.5

^a Total number of days in all Sweden used during the year.

^b Days used for "special child care leave" whether used at child's birth or later available from 1978 have been included in column 1 by adding two columns of table 17 in the primary source.

^c Per year per parent who used parental leave for occasional care, i.e. for caring for sick children.

Source: Tables 17 and 18 of RRV 1980: 1242.

an income to be compensated for. Unless the mother finds a job shortly after delivery, the opportunity to share parental leave between father and the mother is also lost.

It is apparent from table 2 that fathers take quite a small share of the parental leave except for the days of occasional child care where the men take more than half of the 5.5 days used on average per child per year. Also many fathers use the special child care to stay home 10 days when mother and child come home from the maternity hospital.

2.3 Separate Taxation of Income

A tax system that makes it profitable for spouses to equitably divide work between them so that both spouses work in the market and in the household is a preferable system from the point of view of equality between men and women. Not only does it give the woman an income of her own in the present but also helps to build up her human capital so that she becomes more competitive in the labor market in the future. Furthermore it gives her a pension of her own that can support her in old age or in the case of divorce.

The combination of a high marginal tax with separate taxation of income often induces additional work from the wife. The correct comparison to make is if the husband by increasing his work hours can increase his net income more than the wife can increase her net income by a similar increase in hours. If there are children, it is very important to the net family income if they have places at a government subsidized daycare center or not. The parent's fee is dependent on income and increases with the level of income. This creates marginal effects. There is, furthermore, a housing subsidy dependent on income which also creates marginal effects.

The average and marginal tax rates for one earner and two earner families have been calculated by Lybeck (1981) and are reproduced in tables 3 A and 3 B. It is evident that both marginal and average tax rates are higher for the one-earner family than for the two earner-family (13).

Comparing the one-earner family with the two-earner family at SEK 70 000 taxable income per year shows that the average tax is equal but the marginal tax is 90 per cent for the one-earner family as compared to the two-earner family. This is a case where it is more profitable for a wife to start working even a limited number of hours per week rather than increasing the husband's work hours from full time work. The income brackets shown in the calculation are ordinary Swedish earnings. Therefore the calculation shows the amount of income Swedish taxpayers pay to the public sector. A fulltime industrial worker would in 1981 earn about SEK 70 000. Since parttime work is often more than half time SEK 40 000 per year is not an unusual income for a part-time working woman. The calculation of who shall increase work hours in order to increase family net income is complicated by the fact that mortgages payments are deductible. For homeowners it might be more profitable to increase gross income by a high wage earner. This effect is not included in table 3 A and 3 B since the calculation is based on net taxable income after deductions.

Table 3 A
Average and marginal taxes for a one earner household with two young children

Taxable income SEK	State tax SEK	Local community tax, SEK	Housing Subsidy SEK	Average tax percent	Marginal tax percent
30 000	(-1 432)	7 092	10 920	- 18	45
50 000	(- 86)	13 002	9 120	8	73
70 000	4 586	18 912	5 136	26	90
90 000	11 960	24 822	336	41	78
110 000	21 274	30 732	—	47	(81) 80
130 000	31 574	36 642	—	52	(83) 80
150 000	42 174	42 552	—	56	(83) 80
170 000	52 774	48 402	—	60	(87) 80
190 000	64 174	54 372	—	62	85

Table 3 B
Average and marginal taxes for two earner households with two children,
one spouse assumed constant income at SEK 40 000

Taxable family income, SEK	State + local community tax, SEK	Housing Subsidy SEK	Parents fee at daycare center SEK	Average tax percent	Marginal tax percent
70 000	17 780	5 136	5 760	26	68
90 000	25 036	336	7 200	35	62
110 000	35 618	—	8 640	40	74
130 000	48 902	—	10 080	45	81
150 000	64 126	—	11 040	50	(84) 82
170 000	80 336	—	11 520	54	(84) 80
190 000	96 846	—	11 520	57	80

Note: There is a rule that marginal income taxes should not exceed 80-85 per cent. This rule disregards day care fees and housing subsidies. The bracketed figures in the last column would apply in the absence of this rule.

Source: Lybeck, 1981.

2.4 Daycare for Children

We have seen that the Swedish society has greatly enabled working women to have children through paid parental leaves of absence. Moreover, we have described above how there are strong economic incentives for women to work after childbirth. The most important concern for parents when both want to work, is how to arrange daycare for their children. Without daycare there can be no working for one of the parents, usually for the mother.

In Sweden there has been extensive involvement in building daycare centers for children during the past 10 years. Whereas in the 1960's there were daycare centers only for a minority of children, the 1970's have seen a rapid increase in the number of places.

In table 4 some facts about the Swedish day care system are given. The proportion of children 0-6 years old who have a place at the day care center has increased from 5 per cent to 20.5 per cent. In addition to this 13.4 per cent had a subsidized place with a day care mother. In 1981 there is an estimate of the proportion of children who have a mother that either works or studies more than 20 hours per week. This estimate is 53.8 per cent of the children. From this can be concluded that there is an excess demand for day care at the price paid.

The day care centers are built and run by the communities. There are extensive public subsidies for day care. It is evident from table 4 that the cost for a place at the day care center has greatly increased. Parental fees made up only 8.8 per cent of total costs in 1982 whereas half of the total costs are covered by a state subsidy and the remainder is borne by the community.

Since only a small proportion of the cost of a place at a day care center is paid by the parents it is very interesting to try to estimate the social effectiveness of day care centers. Jönsson (1970) came to the conclusion that the communities paid too large a proportion of the costs of day care. Because they lost money in this area, they had little incentive to increase the number of places.

One issue in calculation of costs and benefits of day care was raised by Gustafsson (1978). Since individuals invest in their human capital not only through schooling but also through on-the-job-training, labor force withdrawals carry costs in the form of labor force interruptions. From a theoretical point of view such costs can arise because of two reasons: First there is no opportunity to make further investments in job related activities when the mother cares for the children at home. Second the possibility exists that labor force withdrawals will also carry a cost of depreciation of human capital (Mincer and Polachek, 1974). For these two reasons we might expect human capital or earnings capacity to be smaller for women with interrupted careers than for those with continuous careers. Since the human capital is smaller, their productivity in the labor market is also lower. The effect of this can be observed in smaller earnings after returning to the labor market.

The long run costs and benefits of day care have been estimated by Gustafsson (1978) using salary data for about 32 000 salaried employees in the private sector of Sweden (14). The results of the calculations can be interpreted in the following way: Lifetime earnings of fulltime working women without labor

Table 4
Public day care

YEAR	Per cent children 0-6 with subsidized day care		Per cent children 0-6 needing a place ¹	Total cost of a place at a day care center in SEK	Per cent paid by parents	Per cent paid by central government	Per cent paid by local government
	Day care centers	Day care mothers					
1971	5.0	4.6					
1972	6.1	4.4					
1973	7.1	4.7					
1974	7.9	5.6					
1975	8.6	6.5		20 675	11.5	38.2	50.4
1976	10.1	7.8		23 540	10.4	33.5	56.1
1977	10.8	9.0		26 960	9.9	51.6	38.5
1978	13.7	9.7	48.8	31 460	9.8	50.1	40.1
1979	16.3	10.9		34 505	9.6	52.5	38.0
1980	18.4	12.9		38 590	9.1	51.2	39.7
1981	20.5	13.4	53.8	42 700	8.3	49.8	41.9
1982				45 300	8.8	49.6	41.6

¹ "need" is calculated on the basis that the mother of the child either works or studies more than 20 hours per week.

Sources: Columns 1 and 2: SOS, Socialvården 1980 and Befolkningsförändringar.

Column 3: Socialstyrelsen, Barnomsorgen i siffror.

Columns 4, 5, 6 and 7: Svenska Kommunförbundet.

interruptions are on average big enough to pay for 4.4 places at day care centers during 7 years of full day care and an additional 4 years of after school care estimated at half the cost of full day care. Compared to a lifetime career as a housewife the break-even point is more than 4 children.

Jönsson and Paulsson (1979) recalculate social costs and benefits of day care. One of the calculations shows that women with children at pre-school age who entered the labor market during the past 10 years and working at least half-time have increased GNP by an amount twice as big as the cost of the places at day care centers for the children of these women. Even if these calculations are good arguments for arranging day care for children, they tell us nothing about who should pay for it. Parents who have places at day care centers receive a large allowance. Whether the system should be developed into a cost-free one like the public school system is today or if fees should instead be increased is a political question. The financial situation in Sweden has slowed down the increase in the number of places of day care centers. Today social losses from lack of day care places must be weighted against social losses from increasing already large budget deficits.

2.5 Labor Market Policies

It is one of the goals of Swedish labor market policy to promote equality between women and men in the labor market. A program entitled: "Equality on the Labor Market" - a task for the labor market authorities, was accepted in plenum by the National Labor Market Board (AMS for Arbetsmarknadsstyrelsen) in 1977. This program starts by stating the goal as laid out in a Swedish Government report to the United Nations from 1968: "Every individual irrespective of sex shall have the same practical opportunities not only for education or employment but also in principle the same responsibility for his or her own maintenance as well as shared responsibility for the upbringing of children and the home making". It means that time devoted to market work and unpaid home work should be distributed equally between spouses and it would not be consistent with this goal to have more equal distribution across families with some women assuming the traditional male role and some men the traditional female role. The AMS program for equality states this idea of equality to be the universally accepted official Swedish view. This is however much too optimistic in view of reality (15).

The common aim of labor market policies, general economic policy and demand management is to reduce unemployment. Labor market policy is often restricted to mean policies financed through the budget of the AMS. Labor market policies are important in terms of the number of people being enrolled and the share of GNP spent on programs. In the budget year of 1977/78 labor market programs amounted to 9 per cent of government expenditure and 3 per cent of GNP.

Since 1972 more people have been in labor market programs as an annual average than in open unemployment (see Stafford, 1981 and Johannesson, 1981). In 1981 the open unemployment rate was 2.5 per cent of the labor force and the proportion of people in programs 2.7 per cent.

This emphasis on labor market programs as the main way of helping people who risk unemployment as opposed to helping them only by cash payments is known as the work principle as opposed to the cash principle. The priorities for the employment offices are: 1) job placements, 2) labor market training, 3) relief work.

To be eligible for unemployment benefits there is a member requirement and a work requirement. The person must have been a member in an unemployment benefit society run by unions and subsidized by the government for 12 months and have worked for 5 months during the last year. Membership is most often gained in connection with the first job when the person is recruited into the union. In order to insure those who do not fulfill the member requirement another subsidy called the cash labor market assistance (KAS) was introduced. The work requirement was retained but an exception was made for persons who came directly from schooling or labor market training and who had already been unemployed for 5 months. The unemployment insurance is paid for a maximum of 300 days and the KAS for 150 days if the person is younger than 55 years. For older persons the limits are 450 and 300 days respectively. The unemployment benefit is about the same size as the wage of a low level industrial job and the cash labor market assistance provides a smaller subsidy.

The large increase in the female labor force participation rate for Swedish women has been helped by the fact that in the 1960's and early 1970's there

was an excess demand for labor in Sweden. Much of this excess demand was met by immigration or, as it was called at that time, "imported labor". However the AMS was early in trying to meet demand for labor by also motivating married women to enter the labor force (16). In the 1960's 100 "activation inspectors" were recruited to the employment offices of the AMS with the special purpose to "activate" women into entering the labor force. A well-known project carried out in 1974 in Kristianstad later on resulted in a regular course given on entry and re-entry of women to worklife and education (ALU-kurs). Since 1974 there has been a sex quota in the regional policy subsidy given to firms that increase employment in the regionally subsidized areas of Sweden. The sex quota stipulates that at least 40 per cent of the increase in employment must be by the "underrepresented sex", which has always been the women. There is also an "equality grant" which can be applied for by an employer who educates women into male dominated occupations. This grant has seldom been used which is believed to be caused by the fact that the firms think there is too much bureaucracy involved for too little money.

For most job applicants, men and women, the services of the employment office in matching the job applicant with available vacancies should be more important than different kinds of subsidies and quotas. In this respect the easily accessible information on vacancies from all occupations and regions by computerization has been considered very important. It is held to be easier to carry out guidance talks and show on the computer terminal how the number of possible vacancies increases if the applicant is less rigid and considers change of occupation and regional mobility.

Schooling for the unemployed has existed since the end of the second world war. Originally the students of labor market training were refugees and handicapped and those were the only persons eligible for economic subsidies during training. Today there are education benefits for all students in the labor market training equal to the unemployment benefits and an additional per diem of SEK 10 called "stimulation addition" to induce people to go to labor market training rather than just receiving the unemployment subsidy. In 1980 the training of the handicapped was delegated to a special organisation called the Employability Assessments Institutes (AMI). Most of the labor market training takes place in special schools the AMU-centers available in 120 places all over Sweden. The training is mostly vocational but some labor market training has been in the ordinary school system.

To qualify for labor market training the person must be 20 years old, be unemployed or risk unemployment or apply for education into a shortage occupation. During the fiscal year 1979/80 the number of persons starting labor market training was about 86 500, of which 49 per cent were women. Only 12 per cent of those going to labor market training in manual industrial work were women, which is about the same proportion as in 1969 and a decrease from 1974 when 26 per cent were women. Women make up 74 per cent of those going to courses in service work (17).

Attempts to create employment by relief work was started already in 1914 by the State. In 1933 relief works became a regular countercyclical and a special authority was instituted called the "Unemployment commission" (AK-kommissionen). In 1948 the active labor market policy was born and the unemployment commission was reorganized into the labor market board. Wages paid to persons in relief work are equal to market wages. Traditionally relief work had been arranged in typical male areas of employment but in recent years relief

work are equal to market wages. Traditionally relief work had been arranged in typical male areas of employment but in recent years relief work has also been created in e.g. hospitals. The proportion of women in relief work increased from 12 per cent in the fiscal year 1972/73 to 41 per cent in the fiscal year 1979/80.

3. THE ACT ON EQUALITY BETWEEN MEN AND WOMEN AT WORK (18)

3.1 The Background of the Act

In 1972 an Advisory Council to the Prime Minister on Equality between Men and Women was instituted and active policies to improve situations of women on the labor market were initiated. In 1976 it was transferred to the Government Department of Labor and reformed into a committee.

The Advisory Council of the Social Democrat government did not propose an Act on Equality between men and women at work. The Confederation of Swedish Trade Unions (LO) held that equality issues should be dealt with by collective bargaining and not by legislation. Since this opinion was shared by the employers organizations (SAF) as well as the organization of white collar workers (TCO) there was a strong opinion against legislating equality issues and it was held that issues on equality should be dealt with by negotiation and not by legislation. This idea was consistent with the earlier pattern of the Swedish bargaining system. In 1960 a central agreement between SAF and LO was reached about equal pay for equal work and the special women's wages were abandoned by 1965.

In the Swedish constitution of 1974 there are several statements implying that nobody can be discriminated against because of sex. These statements maintain that the norm in the exercise of public power should be equality between men and women (Constitution § 1:2 = RF 1:2), that objectivity and impartiality should be observed in the exercise of public authority which means that sex discrimination is not objective conduct and not permitted under the Constitution (RF 1:9). The principle of equal treatment in the legislation process is stated: "Laws and other regulations must not entail that any citizen is discriminated against on grounds of sex." (RF 2:16). There are three exceptions to this 1) provisional exceptions based on today's reality 2) military service 3) active efforts to promote equality.

The constitution also states that appointments to positions in the government sector must be based only on material qualifications such as merits and aptitude. In practice this means number of years of experience and qualifications suitable for the job such as education, whereby sex is not a ground for appointments.

One of the major issues of the Liberal Party (Folkpartiet) in the election of 1976 was an Act on Equality between Men and Women at work. When the Folkpartiet was part of the government coalition an Act was finally suggested in 1978 and became effective from January 1st 1980. The regulations of the enforcement institutions and on affirmative actions had been opposed by the unions. Anita Dahlberg (1983) observes that later when the Act has come into effect and the Equality Ombudsman has started to work the contacts between

unions and the Equality Ombudsman have been positive and directed towards cooperation.

3.2 The Main Content of the Act

The Act applies to all kinds of employment, both in the public and in the private sectors and aims at the employers. Many of its rules also relate to how prospective employers treat job applicants. An Equality Ombudsman is responsible for insuring compliance with the Act.

In the motives for the Act on equality positive values for both men and women are emphasized. Both men and women are considered to be gaining from the equal society. The attitude is that both sexes are disadvantaged by inequality. In the unequal society men have less rights to their children and feelings. Women have less rights to work. They work shorter hours at lower wages, have less selfdetermined jobs with lesser career prospects. They have more responsibility for their homes and children.

The Act consists of three parts:

- 1) ban on discrimination
- 2) request to the employer to actively promote equality at work
- 3) regulations on the Equality Ombudsman and the Equal Opportunities Commission (19).

The first two parts constitute measures against offensive treatment by employers on the basis of sex and the third part pertains to enforcement of the Act.

3.3 Ban on Discrimination

The ban on wage discrimination is valid both for equal work and work of equal value. Equal work can be defined in collective agreements. These cannot differentiate between men and women. In this respect the law merely codifies what has been achieved by agreement between the parties of the labor market already in 1960 when the special women's wages were abandoned in the SAF-LO agreements.

Work of equal value is less well defined. It is probably difficult for someone to prove that she is paid less in spite of the fact that she performs work of equal value. The employer can try to prove that differences in wages are due to differences in the objective qualifications of the woman compared to the man or that the differentials are not determined on the basis of sex.

Sex discrimination in job placement exists when an employer chooses one person in preference to another person of the opposite sex, despite the fact that the disadvantaged person is objectively better qualified according to the third section of the Act. This means that a woman who has qualifications equal to those of a man cannot claim that she has been discriminated against if the man is hired. She must be better qualified in order to prove discrimination

against her.

In order for a woman to sue an employer in the Labor Court the woman has to prove that she has better objective qualifications. If she can prove this there is an offense against the ban on discrimination. However, the employer has the right to prove that his decision was not made because of the woman's sex or that it was a measure taken to improve the sex ratio among the employees. Some employers have interpreted the second possibility to appoint men to leading positions where there are only women among the employed. One case is a head of the personnel at school lunches, another is a head of the budget department of a community government.

The Labor Court is obliged to look into what is usually considered to be objective qualifications in the industry where the plaintiff works or is a job applicant. In the private sector "suitable personal characteristics" can be an objective qualification. This means that in the private sector, in spite of the ban on discrimination, women can be discriminated against because they lack "suitable personal characteristics". In one court case, the Labor Court stated that second hand undocumented statements on a person's behaviour could not be the basis for favoring a man who is otherwise objectively less qualified. As pointed out before, in the government sector there are more formal grounds laid down in the Constitution for appointing somebody when there are several applicants. The person should be appointed on the basis of capability and performance. Inferences about these grounds are often drawn on the number of years in qualifying work.

3.4 Affirmative Actions

Employers are demanded to take active measures to promote equality according to the Act. The rules are organized in the form of a stated goal towards which different activities lead. The goal is equality at work. In a shorter perspective the goal is to actively promote equality at work. In the Act different examples are given on what the employer can do. Both work environment and organization should be so adapted that both women and men can work there. The employer should try to ensure that vacancies are sought by members of both sexes. By means of training and other appropriate measures, the employer shall also promote an even distribution between sexes (at least 40 % of each sex) in different types of work and in various categories of employees. When recruiting, the employer must make special efforts to get applicants from the underrepresented sex.

The examples given in the Act are only examples of what can be done. No actions have to be taken before there is a collective agreement between employers and employee organizations. Such agreements have now been concluded for the different sectors of the labor market.

Dahlberg (1983) observes that the collective agreements about equality have been very general and in some instances less precise than the examples given in the Act. Nowhere in the agreements do any time schedules exist on what the employer has to do when. The Act is also constructed in such a way that when there is a collective central agreement as there is now (1983) on most of the labor market, the Equality Ombudsman no longer has any right to enforce compliance to the Act in regulations of affirmative action. The ban on dis-

crimination cannot be negotiated. Christensen (1979) remarks that in spite of the revolutionary goal of the Act of equality between men and women at work there will be no revolution as a consequence of the Act because there are no enforcement possibilities. If the opinion on both sides of the labor market is that nothing must be done to actively promote equality, then nothing will be done.

3.5 The Equality Ombudsman

It is the task of the Equality Ombudsman to ensure that the Act is observed. In the first place the ombudsman shall try to persuade employers to comply voluntarily with the rules of the Act. Her means are advisory services, information and negotiation. Not until it is found that such reminders have no effect does the ombudsman take other measures. The ombudsman may appear on behalf of an individual employee or job applicant in a discrimination dispute before the Labor Court.

The ombudsman can speak for the plaintiff only if the woman who has been discriminated against allows it and her union does not wish to speak on the plaintiff's behalf in court.

Furthermore, the ombudsman is responsible for information to the general public and for taking other appropriate actions to contribute towards the promotion of equality. The ombudsman thus has an important role to play in the mobilization of public opinion. This means for instance, that the ombudsman must keep in constant touch with the organizations on the labor market and with the institutions and public bodies on the labor market, as well as with other organizations concerned with equality issues.

3.6 Cases Brought Before the Equality Ombudsman

During the first one and a half years there were 233 cases brought before the ombudsman. They were distributed among private and public employers in the following way. There were 98 cases concerning private employers and 135 concerning public employers. The State was responsible for 75 and the Local Communities for 60 cases. Most of the cases fell under the ban on sex discrimination (146 cases), but a third of the cases fell under the headline of affirmative actions, most of which were offenses against sex neutrality in "help wanted" advertisements. Out of the 98 cases of the private sector, as many as 74 were complaints about advertisements. The remaining few cases were on sex discrimination.

Anita Dahlberg (1983) speculates that the reason there are more cases concerning public employers' offense of the ban against sex discrimination in appointments than against private employers is that events in the public sector are much more visible than that which happens in the private sector. It is indicative that most of the cases brought to the Equality Ombudsman from the private sector are from highly visible activity there that is advertisements for help wanted.

4. Concluding Remarks

In a short period of time the Swedish society has a transformation into almost universal labor force participation of women. In spite of this change, there has been little effect on the sex segregation of the labor market. Most women work in occupations different from men and a large part of the increase in female labor force participation has been due to expanded employment of women in the public sector. It remains to be seen if the introduction of an act against sex discrimination in the labor market will have any effect on the traditional division of labor between men and women.

NOTES

- 1) Calculated from income statistics in 1980 according to the following formula from SCB, "Statistiska meddelanden, serie N".

$$\frac{\bar{Y}_m \cdot n_m}{\bar{Y}_m \cdot n_m + \bar{Y}_k \cdot n_k} \quad \text{and} \quad \frac{\bar{Y}_k \cdot n_k}{\bar{Y}_m \cdot n_m + \bar{Y}_k \cdot n_k} \quad \text{respectively}$$

where \bar{Y}_m = average wage income for men, n_m = number of male wage earners, \bar{Y}_k = average wage income for women, n_k = number of female wage earners.

- 2) These figures have been calculated from salary statistics covering the total population of private sector white collar workers. There is for this sector a job classification system classifying jobs according to degree of difficulty. The proportions of people classified at highest level 2 (1 does not exist) for men and women with a degree in business administration is given in the text.
- 3) Arrived at by simply counting female and male first names in the Directory of Industry (Sveriges Industrikalender), 1980.
- 4) See SOU 1980:19. The proportion of female teachers refers to April, 1978, whereas heads refers to March, 1977, (Heads equals "studierektor" and "rektor").
- 5) Among those who were early to contribute in this field is Jonung (1974) in Swedish. Surveys available in English include Jonung (1979 and 1980). Earnings differentials between men and women have been analyzed by Gustafsson (1976 and 1981) and trends in labor force participation by Gustafsson (1980) and Gustafsson & Jacobsson (1983). The development of parttime work has been analyzed by Pettersson (1981).
- 6) See Carlsson, Sten, 1977.
- 7) A description of the development of the Swedish educational system is given in Sohlman, 1981.
- 8) Second and third opportunities to pass the entry requirements to realskola and gymnasiums were given resulting in longer time spent in school for some students like 6+5+4 years in folkskola, realskola and gymnasium respectively.
- 9) I myself went to gymnasium 1958-1962 in Västerås, a city with a population of 100 000 people to the west of Stockholm. Most of the girls came from the "flickskola" to the gymnasium. It meant that they lost two years compared to the boys who came from the "realskola". The "realskola" was open to girls but tradition was strong and it was considered more appropriate for girls to go to the single sexed "flickskola".

- 10) The maximum allowance for students in the spring semester of 1982 was a low interest loan of SEK 11.375 for half an academic year. In addition there was a subsidy of SEK 1.089. An additional loan amount for the semester of SEK 2.227 per child was allowed studying parents. If the student were to have no other income then students loans during the whole year it would be about 35 per cent of a fulltime full year industrial workers earnings.
- 11) Eklund, R., 1981, gives a historical description of the development of maternity and parental leaves legislation.
- 12) A description of the laws now in effect is given in Bylund and Wiklund, 1980.
- 13) The calculations in table 3A and 3B are taken from Lybeck, 1981, in an editorial to *Ekonomisk Debatt*, a journal that presents economic research in a popular form and is read by practically all Swedish economists. The issue of the editorial is that we cannot lower marginal tax rates unless we are willing to make housing subsidies and daycares fees independent of family income.
- 14) A fuller description of the calculations is given in Gustafsson (1978) mimeo and Gustafsson (1979) printed in Swedish.
- 15) It has been vividly demonstrated to me that this idea of equality is not universally accepted. In a seminar discussion with male economists, they stated that equality of time devoted to market work and household work within the family would be economically very inefficient. There must be room for specialization and economics of comparative advantage. People holding this view often accept the idea that women should not be discriminated against and often want their daughters to do well in their careers. However many think that if some women are more intelligent than the average men (like their own daughters presumably) they will succeed in adopting the traditional male role and have their husbands do the home work.
- 16) The actions taken by AMS and the economic situation of Sweden at the time of the Kristianstad project are described in Jonungs's and Tordarsson's (1980) paper on policies directed to reintegrating women into the labour force. In the report on equality between men and women in the labor markets of the Scandinavian countries from the Nordiska ministerradet NU A 1979:2. (also available in English). Labor market policies to promote women are compared for Sweden, Norway, Denmark and Finland.
- 17) AMS has put together a 27 pages mimeo on Statistics on Equality in the Labor Market in 1980 from which these figures have been taken.
- 18) This section draws heavily on a manuscript by Anita Dahlberg (1983) on the Act on Equality. An earlier shorter version is available in English, Anita Dahlberg (1982).

- 19) There are rules in the Act on an Equality commission to be appointed by the Government and entrusted with imposing fines to employers who do not take active measures to promote equality. The Commission is to act after suggestions from the Ombudsman. The Commission is to be chaired by an experienced court lawyer and consists of persons with good knowledge of conditions on the labor market and experience of work to further equality, together with representatives of the main organisations on the labor market. The Commission has however not yet been put into effect (1983).

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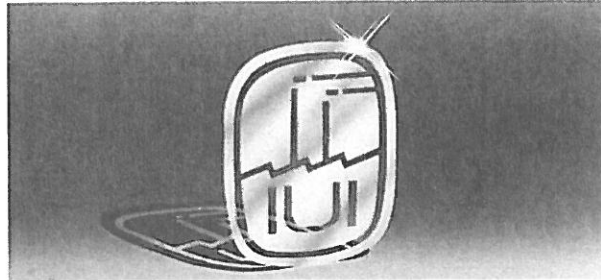
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