Festskrift till Håkan Hydén

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SAFETY DELEGATES AND THE IMPLEMENTATION OF THE ORGANISATIONAL AND SOCIAL WORK ENVIRONMENT

1. Introduction

The intentions of this article is to show how the Swedish safety delegates can influence the implementation of the new provisions and general recommendations on Organisational and Social Work Environment (AFS 2015:4) with the support of the Swedish Work Environment Act and the Work Environment Authority. The purpose of the provision is "to promote a good working environment and prevent risks of ill health due to organisational and social conditions".

This article is to honor professor Håkan Hydén. Sweden has a tradition in the legal field to honor a professor when he/she retires with an article that is connected to the interest of the person who retires. Professor Hydén has been a professor in Sociology of law at the University of Lund. He was my assistant advisor, when I was writing my thesis with special focus on the Work Environment Act and safety delegates and their possibilities to influence the work environment. It was a privilege to be guided by him. Professor Hydén gave advice on the organization of the legal material in my thesis which did not come from traditional legal sources such as the Labour Court or from the Supreme Court. It came from different kind of demands from the Labour Inspectorate, decisions from the National Board of Occupational Safety and Health from the government, the two last having the function of appellate institutions at that time.

Professor Hydén has been interested in work environment legislation for many years. In 1981 he wrote about the work environment and about cooperation between employers and safety delegates. He pointed out how the Work Environment Act was not only in the interest of the social parties

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1 AFS stands for Arbetsmiljöverkets författningssamling, The Swedish Work Environment Authority’s Code of Statutes.
2 Maria Steinberg, Skyddsombud i allas intresse: En rättsvetenskaplig studie (Norstedts Juridik, 2004).
(employers, trade unions and the employees) but also in the interest of the whole society. This being the reason why the government engages in support for the Work Environment Authority (WEAuthority). In 1985 he developed his thoughts about the responsibility of the work environment authorities and the cooperation between the parties in his work 'The regulations of the Working life'. In 1990 he made a comparison with the Nordic countries and their work environment legislations. Professor Hydén has showed his interest in the work environment legislation in many other publications such as in his publication about 'Legislation concerning the Work environment in offices' (1992, 1996) but also in his work 'The Law of Sociology as part of Legal Science' (2002) and in his work 'Science of Norms' (2002) and in 'Strategies for the Work Environment'. How will we get a better Work Environment? Håkan Hydén has contributed to valuable legal research in the field of the work environment, but also in the development of research methods. His interest in the improvement of society has been inspiring for other legal researchers.

The subject of this article is to describe and analyze how the safety delegates can identify psycho-social risks in the work environment and how this hopefully can be lessened by the action of the safety delegates and the support of the WEAuthority.

This is a study of the implementation of the provision Organisational and Social Work Environment (AFS 2015:4), here called OSWE or Provision.

This study is the first of three. This article will show what risks the safety delegates have identified and if and how the Work Environment Authority (WEAuthority, Arbetsmiljöverket) has been able to support the safety delegates, when they have turned to the Authority. The study covers the first 13 months after the Provision came into force. This article shall answer two main questions. The first is What kind of psychosocial problems at the workplace have the safety delegates identified? and the second How has the WEAuthority reacted
towards the request of the safety delegates? The second article will cover the same Provision, time and the implementation of OSWE without the requests from the safety delegates. A comparison will then be made in order to find similarities and differences with the earlier study. This study will include appeals from these cases to the administrative courts from 2016-2018. The third article will give a more international aspect of the preventive rules and regulations concerning psychosocial risks in work environment.

2. Psychosocial risks at the work place and the Work Environment Act

2.1. Psychosocial risks at the work place. Is that a problem?
Official statistics shows that more than 22 % of the working population had some kind of problems when working. These problems were related to stress and psychological strain in 15 % of the women and 8 % of the men.7 When it came to reported work related injuries, it was found that 33 % of them were related to well-being.8

2.2. The Swedish Work Environment Act
The present Swedish Work Environment Act (WEAct, arbetsmiljölagen) from 19779 was greatly reformed in 1991. This Act was the first one to regulate the prevention of psychosocial health in the work place. The act does not include a definition of psychosocial risks or mental health. Ch. 2, Sec.1 of the WEAct states:

"The work environment must be satisfactory…
Working conditions must be adapted to people’s differing physical and mental capabilities…
Employees must be given the opportunity to participate in the design of their own work situation and in processes of change and development affecting their own work.

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8 Occupational accidents and work-related diseases, Arbetsmiljöstatistik Rapport 2018:1, p 70 from The Swedish Information System for Occupational Accidents and Work-related Diseases (ISA).
Technologies, the organisation of work and the content of work must be designed in such a way that the employee is not subjected to physical or mental stress that may lead to illness or accidents … The organisation of working time must also be taken into account in this connection …”

In this article I will use the word psychosocial rather than mental, this corresponding better with international tradition.

Satisfactory means, according to the prework, that the work environment shall not only reach a minimum standard but also aim at ”human needs in a broader sense” which includes psychological and social conditions of the work. It also states that working conditions shall be adapted to people’s differing physical and mental aptitudes. This adaption shall consider differences due to sex, age and degree of experience. It also says that different psychological needs must be taken into account. Participation of the employee is seen as important for the psychological well-being in the workplace.10

The section about psychological health in the WEAct was implemented before Sweden became a member of the European Union in 1995 and became obliged to follow the Framework Directive 89/391/EEC on Safety and Health of Workers at Work. The directive gives the employer a responsibility to prevent all kinds of risks at work.

2.3. The Act is complemented with Provisions

The Swedish WEAct is very general and therefore complemented with seventy to eighty provisions. This study will focus on two provisions: the Provision on Organisational and Social Work Environment (AFS 2015:4)11 which is complemented by the Provisions on Systematic Work Environment Management (AFS 2001:1),12 here called SWEM. Other provisions that take up psycho-social risks at the work place concern Solitary Work (AFS 1982: 3), Violence and Menaces (AFS 1993: 2) and Job Adaption and Rehabilitation (AFS 1994:1), First Aid and Support in Crisis (AFS 1999:7), Ergonomics for the Prevention of Musculoskeletal Disorders (AFS 2012:2) and Minors (AFS 2012:3). These are not included in this study.

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10 The government bill. Prop. 1976/77:149, s. 220.
2.3.1. The Provisions on Systematic Work Environment Management (AFS 2001:1)
This Provision gives a method how the employer shall organize and/or manage the work environment. The Provision is applicable for all Swedish employers, private or public, and includes persons renting manpower. Small enterprises with less than 10 employees are excluded from some of the requirements.

SWEM shall be a natural part of ongoing activities, which includes psychological and social conditions such as leadership, stress, workloads, and working hours and harassment. It includes the participation of employees and safety delegates. The Provision states that there must be a written policy for the work environment as well as written routines how to carry out the SWEM, including well-being health issues. SWEM requires that the employer has a written document of allocation of work environment tasks so that managers, supervisors and employees work for the prevention of risks at work. Persons given these responsibilities must be sufficient in number and have the authority that is needed. The employer shall see to that these persons have sufficient knowledge of present rules, psychological and social conditions implying risks of ill-health and measures to prevent it. The Provision demands that the employer regularly makes risk inventories, risk assessments, including risks of psychosocial diseases. Every employer must make an investigation if there is ill-health or a serious incident at work concerning psycho-social health. The employer is asked to fix the problems immediately or write down the risks in an action plan. The plan shall point out what actions shall be taken, who is responsible to take action, when it shall be fixed and dates for follow ups. Occupational health service should be used if needed. This provision plays an important rule when it comes to prevent bad psychosocial health in the work place.

2.3.2. The Provisions on Organisational and Social Work Environment (AFS 2015:4)
This Provision came into force in March 2016. There were almost 35 years of discussions before the provision was finalized. The purpose of the Provision is explained on page 1. The Provision is aimed at employers and those who hire a workforce both in public and private sector. The Provision starts with several definitions how to interpret the legal definitions of demands in the workplace, victimization, unhealthy workload, organisational work environment and resources for the work and social work environment. It is suggested
that the rules laid down in SWEM shall be part of OSWE. An employer must, for example, see to it that managers and supervisors have the knowledge to prevent and deal with unhealthy workloads and to handle victimization. This could be done through training, where also safety delgates participate. It is the responsibility of the employer to see that this kind of knowledge can be put to practice (Sec. 6 OSWE).

The employer shall also have written objectives (goals) for the fulfillment of the Provision. The employees shall be given the opportunity to participate in producing these objectives. Other legal aspects that the Provision regulates are workloads, clarity of tasks and that the employer must consider severely psychological stressful work tasks. The Provision also includes rules about working hours and victimization.

3. The implementation of the organisational and social work environment

3.1. Regulations concerning the implementation of OSWE

The study that will be presented here consists of 62 injunctions (förelägganden) from the Work Environment Authority from March 2016 to April 2017.

An injunction means here that the WEAuthority has make a final decision that can be appealed to an administrative court. The injunction will almost always include a conditional fine (vite) that the employer must pay if the demands in the injunction are not followed, Ch. 7, Sec. 7 § and Ch. 8 Sec.1 and Ch 9, Sec 2 and 3 §§ WEAct. An injunction is preceded by an inspection from the WEAuthority followed with an inspection report. In the inspection report the WEAuthority explains what problems have been found, demands on the employer to improve the work environment, reference to the legal provisions that have been broken and in some cases there will be a reference to the WEAct. The employer will be given a certain time in order to fullfill the demands. If the employer does not follow the demands from the WEAuthority in a given time, the employer will be informed that the Authority intends to make an injunction. The employer is then given an opportunity to defend or explain why the demands have not been followed. If the employer refuses to follow the demands, the WEAuthority will issue an injunction. An injunction can be appealed by the employer or a head safety delegate to an administrative court.
The cases in this study all refer to the OSWE provision and have been initiated by safety delegates according to Ch. 6, Sec. 6a WEAct. This Section gives every safety delegate the right to first turn to their employer and request improvements. If the employer refuses to make satisfactory improvements, the safety delegate has a right to turn to the WEAuthority and ask for an injunction or prohibition according to Ch. 7, Sec. 7 in the WEAct. This right has its origin in ILO’s Recommendation number 31 from 1929 on the prevention of work accidents. The recommendation was implemented in 1931 in the Swedish Law of Work Safety (Lag om arbetarskydd) from 1912. The right to turn to and request action from the Work Environment Authority, at that time called the Labour Inspection, was in Sweden given to the safety delegates.

A safety delegate, sometimes called a safety representative, is appointed by the trade union that has a collective agreement with the employer. If there is no collective agreement, the safety delegate shall be appointed by the employees.

The documents that have been studied consist of information on the injunction, referring to the formal request of a safety delegate according to Ch. 6, Sec. 6a WEAct, the employer's name and the date of the injunction. Also included is the amount of the conditional fine and the time when the demands shall be fulfilled.

The document gives information on the legal demands with reference to the WEAct and to relevant provisions. After that, the WEAuthority gives the reasons for the injunction. This is where the reference to the safety delegates is presented and why they have turned to the WEAuthority. The requests from the safety delegates are indirect, since it is the WEAuthority which chooses what information shall be included. The injunctions include then reference to the answer of the employers, conclusions from the WEAuthority and information how to appeal to an administrative court. The injunction can consist of 4 to 15 pages.

The results of the study will now be presented: Who were the employers and the safety delegates? What were the risks that made the safety delegate ask for support from the WEAuthority and how did the WEAuthority support the safety delegates? How high were the fines and how fast did the employer have to meet the demands?
3.2. Who were the employers?
Most of the employers came from the public sector. Sweden has a large public sector. This sector was represented in 73% (43 of 62) of the cases. Most of the employers 60% (27 of 43) of these cases represented local municipalities (kommuner). These employers are, for example, responsible for the caring of elderly and schools. Employers representing the regional government (lands-ting/regioner), mostly hospitals, were involved in almost 39% (16 av 43) of the cases from the public sector. The central government (myndigheter) which, for example, is in charge of universities and police force was represented in less than one percent (2 of 43) cases. The private sector was represented by 12 cases, churches with three cases and non-profitable organisations by two cases.

This study does not give an indication of how many safety delegates that have turned to the WEAuthority and requested improvement because of risks in the psycho-social work environment. The result shows that the employers for example in the public sector have found the requests from the safety delegates so controversial that they had refused to comply both with the safety delegates’ requests and with the demands of the WEAuthority. One can conclude that the most controversial cases in this study originated from the public sector where politicians have the main responsibility and women employees are in majority, for instance in the public caring sector.

3.3. Who were the safety delegates?
There were 84 safety delegates in the study. Most of them were women (57 women and 23 men). In four cases, no gender could be identified. In 14 cases, there was more than one safety delegate that turned to the WEAuthority at the same time with a joint request. In one case, there were 6 safety delegates who turned to the WEAuthority. In another case there were 6 head safety delegates, who came from 2 different teacher unions. Half of the safety delegates were head safety delegates (42 out of 84). There were 23 local safety delegates and 7 regional safety delegates. In the rest of the cases one could not identify the position of the safety delegates. There were 50 safety delegates representing the caring sector.

Sweden is a well organised society with strong trade unions. Almost 70% of the employees are unionized13. Sweden has three central organisations for

trade unions. The first one, the Confederation of Swedish Trade Unions (Landsorganisationen, LO) represents blue collor workers. The second one, the Swedish Confederation of Professional Employees (Tjänstemännens centralorganisation, TCO) represents white collor workers such as administrative employees, supervisors, nurses and some teachers. The third one is the Swedish Confederation of Professional Associations (Sveriges akademikers centralorganisation, SACO). This trade union originated from employees with an academic background such as doctors and certain teachers. SACO’s membership is the smallest of the three organisations.

The findings were that safety delegates from the different central organisations were rather equally represented, even if safety delegates who were LO members were in the majority.

LO was represented with 31 safety delegates. Most of them (28 delegates) came from The Swedish Municipal Workers’ Union (Kommunal). TCO was represented with 24 safety delegates. Most of them (8 safety delegates) came from The Swedish Association of Health Professions (Vårdföreningen). Others came from a trade union for mostly administrative employees working in municipalities, for the county or regional government or in churches called Vision (7 safety delegates). Some came from a professional trade union for teachers, Lärarföreningen, (7 safety delegates).

SACO was represented with 23 safety delegates. Most of them came from The National Union of Teachers in Sweden (8 safety delegates). Others came from the The Swedish Confederation of Professional Associations, SACO (7 safety delegates). Different trade unions within SACO have sometimes joint safety delegates. The Swedish Medical Association and local medical associations, Svenska Läkarföreningen and Läkarföreningar were also represented (5 safety delegates).

The largest union for the white collar workers in Sweden is called Unionen. It is also the second largest unionen in Sweden. Most of its members come from the private sector.

Very few safety delegates came from the Union (3 safety delegates).

3.4. What problems did the safety delegates identify?
The safety delegates identified several times more than one problem when they turned to the WEAuthority. Each problem has been included in the study. Therefore there will be more problems identified than the amount of cases. This presentation will give an idea what kind of problems the safety delegates
turned to the WEAuthority for. One or two examples of cases will be given under each headline.14

1. Heavy work load (36 cases) This was the most common reason why the safety delegates turned to the WEAuthority. Heavy workloads identified by the safety delegates in 28 cases in the public sector. One case was concerned with working with elderly in a common building. A problem was that there was a shortage of employees during the weekends. The workload became heavier, which lead to stress and irritation. There was a need of substitutes each weekend. There had been five new managers in four years. Conflicts appeared. Working routines were unclear (16-15).

2. Lack of cooperation (22 cases). In a public pre-school, there was no clear work description, no coordination between the pre-school teachers and cleaning staff. There was a lack of leadership and lack of collaboration of the staff (17-24).

3. Relations and victimization (21 cases).

The safety delegate demanded that the employees should work in a safe environment, be treated well, be able to voice opinions, be able to talk to someone at the occupational health service, and get quick help if they were victimized (16-21).

4. Working hours was another problem (16 cases). Some employees were forced to work on their free day. There was no time to do all work tasks during the nightshift. The supervisors were rarely present (16-22). The employees must fix substitutes themselves (16-23).

5. Lack of action plans (17 cases). The cleaners in a local government needed an action plan in order to handle harassment, victimization and discrimination (16-7).

6. Problems with management (16 cases).

In one case, there had been 11 managers in 15 years. The present manager treated the employees badly. The safety delegate wanted a new manager (16-2).

7. Lack of routines for SWEM (12 cases). In one case there was a need to revise the work environment policy because of the new provision (OSWE) as well as investigating shortcomings when it came to actions in connection with OSWE problems. The safety delegate requested that all the employees should be asked anonymously what they thought of OSWE problems. There was a

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14 The numbers presented in the end of each headline is the identification number. Number 16 means from the year 2016 and 17 from the year 2017. The other numbers has been given each case in order to identify each one of them.
need for an action plan with clear timelimits and clear goals for the work (16-25).

8. Lack of risk inventories and risk assessments (11 cases).

In one case, there were psychosocial problems with a project in a local government. The politicians could not decide what to do. This created uncertainty and worries among the employees. There was a need for risk inventories and risk assessments and an action plan with a clear time set (16-19).

9. Priorities (14 cases). Teachers needed help to priorities so no one had to work overtime (16-1).

10. Unclear work assignments (11 cases). The workload had increased and the staff had been decreased. Administrative employees did not know exactly what to do. They did not get any clear answers when they asked (16-28).

11. Difficult to find replacements (vikarier) (9 cases). Teachers were responsible for doing sick teachers work for two days (16-1).

12. Occupational health service (9 cases). The employees at a pre-school needed help in order to investigate work loads (17-4).

13. Lacking in competence for employers and employees (13 cases).

In one case, there was a need for better introduction for new employees in a psychiatric emergency room (16-3). The manager needed to have better competence in the field of systematic work environment management which includes the organisational and social work environment (16-20).

14. Lack of documentation of almost accidents (6 cases). No one informed the safety delegates about the almost accidents (16-29).

15. Need of recuperation (5 cases). No time was given for transportation between elderly’s homes, which meant no time for recuperation. (17-1).

16. Stress was pointed out as a problem (14 cases). In one case, it was called stress of conscience. Employees working in the caring sector experienced this when they did not have time to do all their assignments because there was no time for it. They wanted to know what priorities they should make (17-20). In another case, this was called professional, ethical stress. Employees in a hospital had too much to do handling a new booking system (17-25).

17. Sickleave (11 cases) and employees leaving their jobs (7 cases) were pointed out by the safety delegates as some of the consequences of lack of good organisational and social work environment.
3.5. Demands from the Work Environment Authority
The study of 62 injunctions showed that the WEAuthority referred both to the organisational and social provision (OSWE) and to systematic work environment management (SWEM). The most common references were made to the following provisions.

3.5.1. Clarity of work tasks (10 § OSWE) 74 times
The WEAuthority demanded that the employees needed to know what to do. For example, they must know:
- p.1 which work task they were to perform (23 times).
- p.3 whether there were particular methods with which the work was to be performed, problems with how to get substitutes, introductions, communicate information to all employees (28 times)
- p.4 which work tasks were to be prioritized (22 times).
- p.5 to whom they could turn to, (3 times).

3.5.2. Workloads ( 9 § OSWE) 30 times
The WEAuthority demanded that resources should be adapted to the demands of the work. The employers must take action in order to adjust the work loads.

3.5.3. Victimization (13-14 §§ OSWE) 48 times
The WEAuthority demanded that the employers must investigate, if there was victimization, take action to counteract it, develop routines how to handle it, find ways of supporting employees, who have been victimized. Each employee should also know who to turn to, if they experience victimization.

3.5.4. Other demands concerned with organisational and social issues.
The WEAuthority demanded that problems with the organisational and social work environment must be taken care of as part of the systematic work environment management 5 § OSWE (9 times).

The WEAuthority demanded many times (35 times) that the employers must have
knowledge about the OSWE, that the leadership must improve in this field and that managers and supervisors must be given support (6 § OSWE).

Employers should consider severely mentally stressful tasks(11§ OSWE, 16 times).
3.6. Demands concerned with systematic work environment management
The WEAuthority demanded 67 times that the employers should investigate, make risk assessment of OSWE according to 8 § SWEM. Problems that were pointed out were for example heavy work loads, (20 times) and stress (4 times).
A very interesting and common demand from the WEAuthority concerned the participation of safety delegates in (34 cases) and of employees in (31 cases). The rules of participation are to be found in 4 § SWEM. Other demands from the WEAuthority concerned with OSWE problems were that the employers must have action plans according to 10 § SWEM (25 cases). Help from occupational health service or other experts according to 12 § SWEM were also a frequent demand (32 cases). Other demands were that the employers must have follow ups according to 11 § SWEM (7 cases) and investigate ill health, accidents and serious incidents according to 9§ SWEM (3 cases).

3.7. Legal consequences and time limits
The conditional fines were in half of the cases (32 cases) between 25,000 – 50,000 SEK and in 17 cases 100,000 to 200,000 SEK. The highest conditional fine was 600,000 SEK and this was in the form of a prohibition and about working hours. There were two cases where the injunction was combined with a prohibition. The employers can appeal the conditional fine to an administrative court or pay the fine, but then the WEAuthority could higher the amount in order to put pressure on the employer.
The employers had as an average 1-4 months (58 cases) to meet the demands of the WEAuthority.

4. Conclusions
This study was set out to answer: What kind of psychosocial problems at the work place have safety delegates been able to identify? How has the Work Environment Authority reacted towards their requests through its implementation of the provision Organisational and social work environment (AFS 2015:4)?
4.1. Who were the safety delegates and who did they work for?
The result shows that most of the safety delegates were women (70 %) . Most of the safety delegates came from LO (31 safety delegates). The others came from TCO (24 safety delegates) and from SACO (23 Safety delegates). About 60 % (50 of 84 safety delegates) worked in the caring sector. Half of the delegates were head safety delegates, which is natural. They have a better overview, better knowledge and closer contact with their trade union than local safety delegates have.

From an earlier study it was found that it was most common that male safety delegates from the private sector and from LO turned to the Work Environment Authority. Here one can see that now it is women, from the public sector and not only from LO but also from TCO and SACO who are represented. This is a change. The reason is that finally there is a provision that meets the need of women and white color workers. Most of the safety delegates whose union was identified (28 of 78) came from Kommunal. Most of the safety delegates worked in the caring sectors with elderly or in hospitals.

One reason why there were so few safety delegates from the private sector can be that safety delegates from this sector are less secure in their employments. LO presented a report in 2016 about harassment of safety delegates. It showed that 30 % of the 7700 safety delegates who answered a questionnaire experienced that they had been hindered meaning not getting information 12 % (277 of them) thought they had been harassed. Other explanations why there were so few cases from the private sector, could be that these employers are more willing to listen to the safety delegates or accept the demands of the WEAyuthority. One reason could be that employers in the private sector are more sensitive of information that can harm their reputation than employers from the public sector. An injunction gives every employer a bad reputation.

4.2. What kind of risks did the safety delegates identify?
The study showed that heavy work loads, lack of cooperation and other problems with relations and victimizations were the most common problems identified by the safety delegates. Interesting, is that most of the problems with

15 Steinberg (2004), p. 259-263. That study included every safety delegate who turned to the WEAyuthority during 5 years with all kind of work environment problems, different kind of support from the Labour inspection and at different levels and it included appeals in this study.

Work loads came from the public sector (28 out of 36 cases) were identified by female safety delegates working in the caring public sector, like works in hospitals and caring for elderly. This is a sector where women are in majority and the responsible employers are politicians. One can say that one of the negative sides of the Swedish welfare state is that it does not always take good care of its employees, especially not women working in the welfare sector. One can ask, why there were hardly any injunctions concerning other areas of the public sector than the female dominating caring sector or were problems in other sectors not as controversial as the one concerning the caring sector? Are politicians more likely to accept demands from male dominating sectors than from sectors where women are in majority, like the caring sector? When the workload is heavy, there is little time for communication, which is a problem in itself and can lead to victimization. Other problems were working hours, lack of action plans and problems with management. Even if the Swedish work force, most of the time, is covered by collective agreements, working hours seem to be a problem. There is sometimes a conflict for the trade union, when their members want to work a lot overtime, which can lead to an increase in accidents and injuries. There is then a need for the trade unions representatives to have close contact with their safety delegates in order to find a balance between permitting a lot of overtime and safety considerations.

Every employer in Sweden is obliged to have a written action plan since 1993 concerned with risk inventories and risk assessments. Apparently, there are employers who don’t follow these rules. In the study one could see that the turnover of managers in certain cases were very large. At one place, there had been 11 managers in 15 years. Each manager and supervisor is supposed to have knowledge of the WEAct and provisions such as the OSWE and SWEM, but many employers don’t enforce this rule. Most work tasks need education. Being a manager or a supervisor and being in charge of other people’s lives, seem to be a profession where there is no need for education or training as long as these persons are good in their profession. Another problem that was identified was that that employees were unsure of what their assignments were and what they should prioritize when the they felt time was not enough. One can understand the amount of conflicts that can arise if this is a common problem. Another problem that was identified was that the employees were asked to find substitutes if they or someone else were sick. This is a very difficult task for employees. The consequences for employers with bad psychosocial work environment can be that employees are on sick leave or they leave their jobs. This is, of course, a catastrophe for the employees but also very
costly for the employers and give them a bad reputation. Employers who have employees that are on sick leave must pay a sick leave salary for them during the first two weeks and have a certain responsibility for their rehabilitation. If they need to hire a new person that is also a cost as well as the cost for giving them an introduction.

4.3. How did the Work Environment Authority react towards the requests of the safety delegates?
The Work Environment Authority was willing to support the safety delegates in the cases that have been studied here. Clarity of work tasks was the most common demand from the WEA, with 74 demands. Victimization was the second most common demand with 48 demands and work loads the third with 30 demands. One has to remember that the cases in this study are the most controversial. They don’t represent how many safety delegates that have turned to the WEA for help. Those cases are many more than in this study. The injunctions in this study are the cases where the employers have not met the demands of the WEA despite the fact they have been given many opportunities to do so. Therefore, one can say that the cases in this study are the most controversial.

Other demands which appeared in the study was lack of systematic work environment management. There was some kind of reference to SWEM in most cases. Interesting was to find how important the WEA found the participation of employees in the work concerning the organisational and social work environment. This kind of participation finds support both in Ch. 2, Sec 1 WEA and in Sec. 4 in SWEM. The WEA must see this kind of participation as an important component for good well-being. The same goes for the participation of safety delegates. The rules here can be find both in Ch 6, Sec 4 WEA and in Sec.4 SWEM. Support of workers participation in decisionmaking processes can also be found in the EU directive 89/391/EEC.

In half of the cases there was a reference to use occupational health service or other outside experts. Victimization and the need for an outside expert were discussed especially if there was a need for some kind of objective investigation.

4.4. Final conclusions
A final conclusion is that the safety delegates have been able to identify many different shortcomings in the area of psychosocial health at the work place. It was found that the most controversial cases came from the public caring sector where there is a majority of women working. It was also female safety
delegates from Kommunal that were most active in this study. The study shows that the safety delegates were able with their rights to turn to the Work Environment Authority to get different kind of support in these cases.

The next study will include injunctions concerned of the same Provision on organisational and social work environment, but without the safety delegates requests and will also include appeals to the adminstrative court.