

## European (& the GCC) Employment Law Update

Jurisdiction: Sweden  
Date: May 2019

Impact date	Development	Impact
1 July 2018	The Swedish Social Insurance Code (Sw. socialförsäkringsbalken (2010:110)).	<p>Amendments have been made in the Swedish Social Insurance Code (Sw. socialförsäkringsbalken (2010:110)) regarding an employer's responsibility to prepare a rehabilitation plan for certain employees.</p> <p>The amendments entail that an employer is obliged to prepare a rehabilitation plan for an employee whose working ability, due to illness, is assumed to be impaired for at least 60 days.</p> <p>The employer must establish and document the plan for the employee's return to work and continuously ensure that the plan is followed and kept up to date. The main rule is that the plan must be established no later than the day when the employee's working ability has been impaired for 30 days. There are a few exceptions to this main rule. For example, a plan does not need to be established if it is clear from the employee's health condition that he or she cannot return to work even with rehabilitation.</p> <p>The rehabilitation plan should list the measures necessary to enable the employee to return to his or her regular work or adapted work as soon as possible. Examples of measures that can be addressed are re-deployment, technical assistance and the possibility of working part-time.</p>
1 January 2020	The Swedish Employment Protection Act (Sw. lagen (1982:80) om anställningsskydd).	According to Swedish Employment Protection Act (Sw. lagen (1982:80) om anställningsskydd) (the "EPA") an employee has the right to remain in employment until the end of the month when he or she turns 67 years, the so-called "EPA-age".

		<p>In February 2019, the Government published a report, which proposes that the age for the right to remain in employment should be increased to 69 years.</p> <p>After the employee has reached the age of 69, the employer shall be entitled to terminate the employee's employment without so-called objective grounds. The proposal also entails that the possibility of terminating the employment in writing shall be removed and replaced with a simplified termination procedure.</p> <p>It is also proposed that the age limit for when a fixed-term employment should no longer be converted into an indefinite term employment is increased to 69 years and that the special form of fixed-term employment which currently exists for older employees is removed.</p> <p>The amendments are proposed to come into force in two steps:</p> <ol style="list-style-type: none"><li>1. On 1 January 2020, the changes regarding older employees' employment protection will come into force and the age limit will be raised to 68 years.</li><li>2. On 1 January 2023, the age limit will be raised to 69 years.</li></ol>
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