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Articles on workers with 0-hours contracts

Spending review: key workers on zero-hours contracts overlooked again <https://theconversation.com/spending-review-key-workers-on-zero-hours-contracts-overlooked-again-150914>

Why are the Royal College of Art's staff on strike? <https://www.dazeddigital.com/art-photography/article/54501/1/why-are-the-royal-college-of-arts-staff-on-strike>

We're still in the dark about insecure work <https://www.ft.com/content/07a6ceac-77cb-43f5-affe-24e6f7629de6>

Femtio-tal varslas från Vasamuseet <https://www.svt.se/nyheter/lokalt/stockholm/femtio-tal-varslas-fran-vasamuseet>

Tornvaktaren får tillbaka jobbet efter beslut i Arbetsdomstolen! <https://syndikalistens.sac.se/tornvaktaren-far-tillbaka-jobbet-efter-beslut-i-arbetsdomstolen/>

"Det känns ju fucking piss" <https://sites.jmk.su.se/laget/3068-det-kanns-ju-fucking-piss>

Många timanställda i äldreomsorgen: "Ses som förbrukningsvara" <https://arbetet.se/2021/04/20/manga-timanstallda-i-aldreomsorgen-ses-som-forbrukningsvara/>

Bättre möjligheter till tidsbegränsad anställning https://www.riksdagen.se/sv/dokument-lagar/arende/betankande/battre-mojligheter-till-tidsbegransad-anstallning_GU01AU14

Korta timanställningar ökar kraftigt <https://ka.se/2018/09/06/korta-timanstallningar-okar-kraftigt/>

Varför får inte nybakade vårdbiträden fast jobb? <https://www.gp.se/debatt/varf%C3%B6rf%C3%A5r-inte-nybakade-v%C3%A5rdbitr%C3%A4den-fast-jobb-1.16385077>

Fler otrygga jobb på svensk arbetsmarknad <https://www.svt.se/nyheter/svtforum/flu-otrygga-jobb-pa-svensk-arbetsmarknad>

Statligt anställda behöver lära sig mer om mänskliga rättigheter <https://mp.uu.se/web/nyheter/-/statligt-anstallda-behover-lara-sig-mer-om-manskliga-rattigheter>

Hela listan: Det här är nya las <https://handelsnytt.se/2021/06/08/hela-listan-det-har-ar-nya-las/>

Fler med otrygga anställningar söker hjälp från facket <https://www.xn--fackfrbundet.com/nyheter/otrygga-anstallningar-hjalp-facket>

The Swedish Labor Law - Lagen om anställningsskydd (LAS)

https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-198280-om-anstallningsskydd_sfs-1982-80

Excerpts SWE//ENG

5 a § En allmän visstidsanställning övergår till en tillsvidareanställning när en arbetstagare har varit anställd hos arbetsgivaren i allmän visstidsanställning i sammanlagt mer än två år

1. under en femårsperiod, eller
2. under en period då arbetstagaren har haft tidsbegränsade anställningar hos arbetsgivaren i form av allmän visstidsanställning, vikariat eller säsongarbete och anställningarna följt på varandra.

En anställning har följt på en annan om den tillträtts inom sex månader från den föregående anställningens slutdag.

Ett vikariat övergår till en tillsvidareanställning när en arbetstagare har varit anställd hos arbetsgivaren i vikariat i sammanlagt mer än två år under en femårsperiod.
Lag (2016:248).

Section 5 a A general fixed-term employment is transferred to a permanent employment when an employee has been employed by the employer in a fixed-term employment for a total of more than two years

1. during a five-year period, or
 2. during a period when the employee has had fixed-term employment with the employer.
- general fixed-term employment, temporary or seasonal work and the employments followed one another.

An employment has followed another if it has been filled within six months from the end date of the previous employment.

A temporary position is transferred to a permanent employment when an employee has been employed by the employer in a temporary position for a total of more than two years during a five-year period.
Lag (2016: 248).

16 § Besked enligt 15 § skall vara skriftligt. I beskedet skall arbetsgivaren ange vad arbetstagaren skall iaktta för det fall att arbetstagaren vill föra talan om att anställningsavtalet

skall förklaras gälla tills vidare eller yrka skadestånd för brott mot 4 § första stycket. I beskedet skall vidare anges om arbetstagaren har företrädesrätt till återanställning eller ej. Har arbetstagaren företrädesrätt och krävs det anmälan för att företrädesrätten skall kunna göras gällande, skall det också anges.

Section 16 Notice pursuant to section 15 shall be in writing. In the notice, the employer shall state what the employee must observe in the event that the employee wishes to bring an action that the employment contract shall be declared valid until further notice or claim damages for violation of section 4, first paragraph. The notice must also state whether the employee has a preferential right to re-employment or not. If the employee has a preferential right and notification is required for the preferential right to be enforced, this must also be stated.

Preference right for re-employment

Section 25 Employees who have been dismissed due to lack of work have a preferential right to re-employment in the activity in which they have previously been employed. The same applies to employees who have been employed for a limited period of time in accordance with section 5 and who have not been granted continued employment due to a lack of work. A precondition for preferential rights is, however, that the employee has been employed by the employer for a total of more than twelve months in the last three years or, in the case of preferential rights to new seasonal employment for a former seasonal employee, six months in the last two years and that the employee has sufficient qualifications for the new employment.

The preferential right applies from the time when dismissal took place or notice was given or should have been given in accordance with section 15, first paragraph, and thereafter until nine months have elapsed from the date on which the employment ended. In the case of seasonal employment, the preferential right applies instead from the time when notice was given or should have been given in accordance with section 15, second paragraph, and thereafter until nine months have elapsed from the beginning of the new season. If during the time periods now mentioned, the company, the business or part of the business has been transferred to a new employer through such a transition which is covered by section 6 b, the preferential right against the new employer applies.

The preferential right to re-employment also applies in cases where the previous employer has been declared bankrupt.

If the employer has several operating units or if there are different collective agreement areas in the employer's operations, the preferential right applies to employment within the unit and the agreement area where the employee was employed when the previous employment ended. If in such a case there are several operating units in the same place, within the area of agreement of an employee organization, the preferential right shall apply to all the employer's units in the place, if the organization requests it at the latest in negotiations pursuant to section 32. *Lag (2007: 390)* .

Section 25 a A part-time employee who has notified his or her employer that he or she wants an employment with a higher employment rate, but not more than full-time, has, despite section 25, a preferential right to such employment. A prerequisite for the preferential right is that the

employer's need for labor is met by the part-time employee being employed with a higher employment rate and that the part-time employee has sufficient qualifications for the new tasks.

If the employer has several operating units, the preferential right applies to employment within the unit where the employee is employed part-time.

The right of priority does not apply to the person who is entitled to relocation in accordance with section 7, second paragraph. *Lag (2006: 440)*.

Section 26 If several employees have a preferential right to re-employment according to section 25 or a preferential right to an employment with a higher employment rate according to section 25 a, the order between them is determined on the basis of each employee's total employment period with the employer. Employees with a longer employment period have priority over employees with a shorter employment period. With equal employment time, older age gives priority. *Lag (1996: 1424)*.

Section 27 If notice of the preferential right to re-employment has been given in accordance with section 8, second paragraph or section 16, second paragraph, preferential rights may not be asserted before the employee has reported a claim for preferential rights with the employer.

An employee who accepts an offer of re-employment does not have to take up the new employment until after a reasonable transition period.

If the employee rejects an offer of re-employment that should reasonably have been accepted, the employee has lost his preferential right.

Section 32 An employer who intends to employ an employee, when someone else has a preferential right to re-employment in the business or a preferential right to an employment with a higher employment rate, shall first negotiate with the relevant employee organization in the manner specified in Sections 11-14 of the Act (1976 : 580) on co-determination in working life. The same applies when the question arises as to which of several beneficiaries will receive re-employment or an employment with a higher employment rate. *Lag (1996: 1424)*.

EU DIRECTIVE: Transparent and predictable working conditions in the EU Minimum requirements for the employment contract

<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=LEGISSUM%3A4408381>

The directive sets a number of minimum rights for workers, including the right to:

- not have the probationary period exceed 6 months, unless it is in the worker's interest or when the activity justifies it;
- work for another employer outside the established working hours without unfavorable treatment, unless incompatibility restrictions are justified on objective grounds;

- for workers whose work pattern is decided by the employer and is entirely or mostly unpredictable, the right to refuse a work assignment outside previously defined reference hours and days without suffering adverse consequences;
- request, after six months' service with the same employer, a job with more predictable and secure working conditions;
- receive training cost free, when the employer is required by EU or national legislation or collective agreements to provide such training.

On-demand contracts

EU countries which allow the use of on-demand contracts or similar employment contracts (e.g. gig-economy or zero-hour contracts) must take measures to avoid abusive practices, such as:

- limiting the use and duration of on-demand employment or similar contracts;
- putting in place a rebuttable presumption that an employment relationship exists, with a guaranteed number of paid hours based on hours worked in a preceding reference period.

From when does the directive apply?

- It has applied since 31 July 2019 and has to become law in the EU countries by 1 August 2022.

On organizing at work (Swedish resources)

Organisera på jobbet <https://www.sac.se/S%C3%A5-funkar-det/P%C3%A5-jobbet/Organisera-p%C3%A5-jobbet>

Början på stark sammanhållning <https://syndikalisterna.se/bojan-pa-stark-sammanhallning/>

LO: "Facklig närvaro ska vända organisationstrend" <https://arbetet.se/2017/03/01/lo-facklig-narvaro-ska-vanda-organisationstrend/>

Så startar du fackklubb på jobbet <https://fastighetsfolket.se/2020/09/23/sa-startar-du-fackklubb-pa-jobbet/>

Arbetsplatsorganisation <https://www.kommunal.se/arbetsplatsorganisation>

Så bildar ni klubb på arbetsplatsen <https://www.lararforbundet.se/artikelsidor/saa-bildar-ni-klubb-paa-arbetsplatsen>

Påverka med hjälp av lokalförening <https://akademikern.se/paverka-med-hjalp-av-lokalforening/>