

Information about sanction charges

The following information is for you as an employer, and provides an outline of sanction charges, what may happen if you do not comply with the Swedish Work Environment Authority's provisions, and what will happen if you become liable to pay a sanction charge.

You are responsible for the work environment at the workplace

The Swedish Work Environment Authority's provisions are binding regulations that describe the requirements which need to be met by the work environment. The provisions supplement the Work Environment Act, which contains fundamental regulations regarding how to avoid accidents, illness and ill health in a workplace.

According to the Work Environment Act, it is your responsibility as an employer to ensure that everyone in your workplace complies with the provisions. If you do not comply with all regulations, the Swedish Work Environment Authority may make a claim against you as an employer, and you may, in certain cases, be forced to pay a sanction charge.

New in 2014: Sanction charges instead of fines

Several regulations in our provisions were previously associated with penalties. This meant that one could be sentenced to pay a fine if these regulations were contravened.

A government report has established that fines are not the most effective way to ensure that regulations concerning the work environment are followed. The Riksdag (the Swedish Parliament) therefore decided to make an amendment to the law and as of 1 July 2014, more regulations are associated with a sanction charge.

What is the purpose of sanction charges?

The purpose of sanction charges is to decrease the number of contraventions to our regulations, in order to improve the work environment in Sweden's workplaces.

Sanction charges and fines – what is the difference?

A sanction charge is a charge, while a fine is a penalty one is sentenced to in a court of law.

Violation of a regulation penalized by a fine is considered to be a criminal act. That type of work environment infringement is therefore handled by the police and, in turn, handled by a prosecutor and a court of law.

Sanction charges – for which regulations?

You may be liable to pay a sanction charge if you do not comply with some of the regulations in our provisions. Please see our website for more information about which regulations are concerned.

Inspectors check that regulations are complied with

One of the Swedish Work Environment Authority's tasks is to make sure that businesses and organisations comply with the Work Environment Act and the regulations contained therein. This oversight occurs during inspections. One or more inspectors check if there are any risks in the work environment and investigate how you as an employer manage work environment issues.

During the inspection, you will be informed of the conclusions the inspectors have drawn about the work environment and which deficiencies need to be addressed. If one of the deficiencies is that you have not complied with a regulation associated with a sanction charge, the inspector will report this to the Swedish Work Environment Authority. The matter is then investigated internally.

A decision is made after the inspection

If it is determined that you must pay a sanction charge, we will send you a charge injunction. You must approve it before a certain date. The statement will indicate the amount of the charge. After your approval, the matter is forwarded to the County Administrative Board, and the charge will be paid to them. In other words, you will not know during the inspection if you will be subject to a sanction charge.

**Who can be liable to pay a sanction charge?**

It is the employer who can be liable to pay a sanction charge. It can be companies, organisations, municipalities, county councils or the government.

How is the amount of the sanction charged determined?

The amount of the sanction charge varies. Most sanction charges are differential, meaning that large companies pay more than small companies.

How is the sanction charge determined?

The charged of the sanction is calculated based on the number of employees in the business or organisation. Both regular employees and temporary workers are included in this calculation, regardless of whether they work full-time or part-time.

We count all employees belonging to the same organisation registration number – not just those who work at the inspected workplace. Employers with 500 or more employees pay the maximum

charge regardless of how many employees they have in total.

You have the right to have your case tried in a court of law

Although it is the Swedish Work Environment Authority that determines whether or not you must pay a sanction charge, you have the right to have your case tried in the Administrative Court. If the Administrative Court rules that the sanction charge must be paid, you may appeal the decision to the Administrative Court of Appeal. The Administrative Court of Appeal determines whether or not you will be granted an appeal.

Read more about sanction charges on our website, www.av.se/lagochratt/sanktionsavgifter

- How to prepare for an inspection.
- Examples of case progression.
- Special regulations for manufacturers/importers of equipment and property developers.

Do you have any questions?

You can reach our Customer service Monday-Friday, between 8:00 and 16:30, at +46 10-730 90 00.

To e-mail the answering service, please use the web form found at www.av.se/omoss/kontakt.