



18/10/2018

RAP/RCha/SWE/18(2019)

## **EUROPEAN SOCIAL CHARTER**

18<sup>th</sup> National Report on the implementation of  
the European Social Charter

submitted by

**THE GOVERNMENT OF SWEDEN**

Follow-up to collective complaint No. 85/2012

Report registered by the Secretariat on

18 October 2018

**CYCLE 2019**



# **REVISED EUROPEAN SOCIAL CHARTER**

18<sup>th</sup> National Report on the implementation of  
the Revised European Social Charter  
submitted by

**THE GOVERNMENT OF SWEDEN**

- Follow up of Collective Complaint 85/2012

## **Eigtheenth report**

submitted by the Government of Sweden

in accordance with Part IV, Article 21 of the Revised European Social Charter on the measures taken to give effect to the following provisions of the Revised European Social Charter

with reference to letter of 17 April 2018 from the Council of Europe to Sweden asking for a simplified report containing the following

I. information on the follow-up given to the decisions of the European Committee of Social Rights relating to the collective complaints:

- Swedish Trade Union Confederation (LO) and Swedish Confederation of Professional Employees (TCO) v. Sweden, Complaint No. 85/2012, decision on the merits of 03/07/2013, violation of Articles 6§2, 6§4, 19§4a and 19§4b.

In accordance with Part IV, Article 23 of the Revised European Social Charter, copies of this report have been communicated to

- (1) Svenskt Näringsliv (Confederation of Swedish Enterprise)
- (2) Sveriges Kommuner och Landsting (the Swedish Association of Local Authorities and Regions)
- (3) Arbetsgivarverket (Swedish Agency for Government Employers)
- (4) Landsorganisationen i Sverige (the Swedish Trade Union Confederation)
- (5) Tjänstemännens Centralorganisation (the Swedish Confederation of Professional Employees)
- (6) SACO, Sveriges Akademikers Centralorganisation (the Swedish Confederation of Professional Organisations)

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Information on the follow up given to the decisions of the European Committee of Social Rights relating to the collective complaint:

Swedish Trade Union confederation (LO) and Swedish Confederation of Professional Employees (TCO) v Sweden, Complaint No. 85/2012, decision on the merits of 03/07/2013, violation of Articles 6§2, 6§4, 19§4a and 19§4b ..... [5](#)

## **Follow up of Collective Complaint No. 85/2012**

With reference to the resolution of the Committee of Ministers, adopted 5 February 2014, finalizing the complaint procedure and with regard to previous information provided in national reports, particularly the 15<sup>th</sup>, 16<sup>th</sup> and 17<sup>th</sup> National Reports, and in the collective complaint no 85/2012 the Government would like to add the following.

On 28 June 2018, an EU directive was adopted which amends the Posting of Workers Directive 96/71/EC.<sup>1</sup> The Government has appointed an inquiry which shall propose how this directive shall be implemented into Swedish law. The inquiry shall assess whether Swedish law is in compliance with the new directive and draft necessary legislation in order to implement the directive into Swedish law. The proposals shall include an analysis of possible consequences in relation to relevant international regulations. The inquiry shall present its proposal 31 May 2019. The Government will in due course submit further information on this matter.

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<sup>1</sup> Directive (EU) 2018/957 of the European Parliament and of the Council of 28 June 2018 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (Text with EEA relevance)