

ISF Report 2011:15

# Occupational injury insurance from a gender perspective.

Work-related injury due to illness.

Swedish Social Insurance Inspectorate

Stockholm 2011

© Inspektionen för socialförsäkringen

# Summary

In 2010 the Swedish Social Insurance Inspectorate (ISF) was asked by the Swedish government to examine the occupational injury insurance from a gender perspective. This report identifies the underlying factors as well as elements of the handling of cases by the Swedish Social Insurance Agency that affect the likelihood of being granted a life annuity for permanent loss of income as a result of work-related injury. The report describes the occupational injury insurance, based on the current legislation implemented in 2002, and it is limited to work-related injury due to illness.

The basic idea behind the occupational injury insurance is that individuals who suffer a work-related injury or illness will be compensated financially. Annuities are the most common form of compensation. Between 2009 and 2010 24 per cent of female applicants and 39 per cent of male applicants were granted annuities for illnesses caused by harmful effects of their work.

## *The Swedish Social Insurance Agency's measures to create equality between men and women*

The Swedish Social Insurance Agency has taken steps to ensure a more equal handling of men and women in occupational injury insurance matters. For example, methods have been developed to assess exposure and for co-operation between administrative officers and insurance medical advisers. The Agency also offers supplementary training for insurance medical advisors and administrative officers. In addition, the handling of occupational injury cases has been concentrated in five national insurance centers. Despite the measures taken, differences remain in the grant rates for men and women.

### *Grant rates are higher in male-dominated occupations*

Taking into account additional factors that affect the likelihood of being granted an annuity, there still remains a difference of five percentage points between men and women. The following factors were taken into account in the analysis: year of birth, educational level, occupation, whether the individual was born outside Sweden, diagnosis of disease, and whether the individual had been granted permanent sickness compensation. The difference in grant rates for different occupations largely explains the difference in grant rates for men and women. Grant rates are higher in male-dominated occupations for both men and women.

### *Scientific evidence*

The medical scientific evidence determines whether a person's application for compensation will be granted or rejected, which is one major explanatory factor behind the different outcomes for men and women. According to the existing research, professional men are exposed to factors which can cause work-related illnesses to a greater extent than women. The report states that the statement of the insurance medical adviser weighs heavily in the outcome of a work-related injury case. The most common references in the statements of the insurance medical advisors are made to scientific reviews where most of the studies are conducted in male-dominated occupations.

### *The 2002 legislation*

The legal amendment regarding the occupational injury insurance resulted in a relaxation of the assessment of work-relatedness and causality. Since 2002 the assessments should be based on scientific evidence and the so-called "widespread knowledge" among physicians with relevant expertise in the field. The individual's physical and mental condition at the time of the injury should also be considered. In addition, the overall assessment should include both social insurance and medical considerations. The ISF's interviews with administrative officers, specialists and medical insurance advisors, and the examination of case files show that the legal requirements have not been implemented fully in the handling of injury cases. In order to conduct such assessments, administrative officers should be strengthened in their professional role.

### *Insufficient handling*

Inadequate grounds for decisions are more common for cases that are rejected compared with approved cases. Inadequate information about the duration, frequency and degree of exposure at work is also more common in occupations where the majority of employees are female compared to male-dominated occupations. This makes the process and the decision on the annuity unpredictable and legally uncertain for the insured person.

### *Generic work injury concept*

In Sweden a generic work injury concept is applied. This means that all kinds of illnesses can be recognized as work-related if there is enough evidence that the illness has occurred as a result of exposure at work. A generic work injury concept increases the possibility of flexibility, but it also increases the risk of unpredictable decisions. The Swedish Social Insurance Agency's investigations and decisions are dependent on occupational research and that those who issue the medical statement are familiar with current research. A list of approved exposure and illnesses offers more opportunities to control the standard of proof required for the annuity to be granted. There are grounds to further investigate the advantages and disadvantages of introducing some form of list of exposure and illnesses that may be classified as work-related illnesses.