



# Diversity – an opportunity in working life

Guide to promoting equality and preventing  
discrimination in the workplace



This publication has been produced as part of the YES – Equality is Priority Project, supported by the European Community programme for employment and social solidarity - PROGRESS (2007–2013).

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The YES – Equality is Priority Project is a cooperation project involving the public administration and authorities, and bodies and organisations representing groups at risk of discrimination. This project is aimed at promoting non-discrimination and equal opportunities. It is being implemented by the Ministry of the Interior, Ministry of Justice, Ministry of Education, Ministry of Social Affairs and Health, Ministry of Employment and the Economy, the Defence Forces/Defence Command Finland, the Sami Parliament and organisations and advisory committees representing groups at risk of discrimination. More information is available at [www.equality.fi](http://www.equality.fi).

**Guide design and text editing:**

Diversa Consulting and the YES – Equality is Priority Project

**Translation:** Done Information Oy

**Cartoons:** Fabrizio Scarpati

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# 1. Foreword

Diversity is part of everyday life in the present-day workplace. Some aspects of diversity are outwardly visible, others not. We all have our own life story and experiences, which have formed us. Understanding and benefiting from a diverse employee and customer base is an advantage both for employers and the workplace.

The core of managing and making good use of diversity lies in harnessing it as a resource and general asset. This means actively including the knowledge, perspectives and individual experiences of all members of the workplace in activities throughout the organisation.

Equal treatment for all is guaranteed under the Finnish Constitution. Effective diversity management and promoting equality can help improve staff wellbeing at work. It can also help employees to fulfil their competence potential. In this way, innovation, productivity and employee commitment can be improved.

This guide provides information on the opportunities offered by diversity. It also answers questions on equality and non-discrimination in working life. The aim is to provide readers with information on how work communities and business operations can benefit from diversity, promote equality and prevent and root out discrimination.

The guide provides information on the contents of equality legislation. Various kinds of discrimination are described and concrete advice is given on what to do when discrimination occurs. The guide also emphasises best practices for promoting equality and diversity in the workplace. A list of organisations which can present you with such advice and further information is included at the end.

This guide is intended for everyone in the workplace: employers, employees, shop stewards, occupational safety delegates and other staff representatives. The information it contains is also useful for people in charge of training in employers' federations and employee unions, people in charge of equality and gender equality, and multiculturalism experts. In addition, the issues handled are relevant to workforces in enterprises of all sizes as well as in the public and third sectors.

SAK – Central Organisation of Finnish Trade Unions, the Finnish Metalworkers' Union, the Finnish Federation of Hard of Hearing (FFHOH), the Finnish Veterinary Association, the Finnish Disability Forum, the Kiljava Institute and the association of Finnish tourism and restaurant services MaRa ry have contributed to the composition of this guide. It was compiled as part of the **YES – Equality is Priority Project**, implemented by the Ministry of Employment and the Economy.

Helsinki, 10<sup>th</sup> September 2009

ANNI SINNEMÄKI

Minister of Labour

## 2. Diversity and equality in working life

### Diversity as a competitive advantage

Every enterprise and community forms part of society. For this reason, changes in society have an impact on how organisations behave. Such changes can provide unlimited new opportunities, as well as presenting us with new challenges. At the moment, the greatest changes affecting our society include technological development, economic challenges, globalisation, the ageing of the population and its increasing diversity.

Most small and medium-sized enterprises in Finland operate in local or regional markets. But this does not mean that change does not affect them. A more diverse society, customer base, market structure and available workforce are having more and more influence on the business opportunities of small and medium-sized enterprises too. For instance, the retirement of the baby boomer generations, and the need to meet future workforce needs by hiring a more diverse set of employees, involves all companies, whether large or small.

Like society, every workplace is diverse in one way or another: employees include men and women, transsexuals and intersexuals and members of other gender minorities.

They can be of different ages, with different beliefs, and can come from different cultures or language groups. In addition, they can be physically or mentally disabled or free of disabilities. Their sexual orientation can be anything from heterosexual, homosexual, lesbian and bi-sexual

 In 2008, 63% of European companies with a diversity strategy evaluated it as having enhanced innovativeness and creativity.

(European Business Test Panel)

to something in between. Some kinds of diversity are easy to notice from the outside, others not. We all have our own life stories and experiences, which have moulded us in many ways.

Companies and organisations that are aware of the diversity of both their customers and staff, and which can benefit from the opportunities involved, can gain major competitive advantages. However, diversity cannot be turned into a business opportunity by itself. Instead, systematic and long-term diversity management is needed. The core of diversity management lies in benefiting from diversity as a resource and common advantage. Indeed, the information, perspectives and individual life experiences of each member of the workplace need to be included in the activities of the entire organisation.

Diversity is an organisational resource that helps in pairing the right person with the right task. It increases an organisation's productivity by generating a creative atmosphere. A positive atmosphere can be created and personal motivation improved by allowing everyone to be themselves. If full benefit is taken from diversity, pluralism and openness, a better motivated and more productive workplace can be the result.

Companies and organisations benefit in many ways from diversity strategies or programmes. By developing diversity management, a company or organisation can expand recruitment opportunities. Such strategies and programmes can help employers attract talented

 In 2008, 59% of European companies with a diversity strategy evaluated it as beneficial to their business

(European Business Test Panel)

individuals from different backgrounds to work for them. Above all, they can keep such people in the workplace. Expert diversity management can improve the social cohesion of employees and their commitment to the values and activities of the workplace.

## Genuine equality in working life

More than anything else, benefiting from a diverse workplace is based on the equal treatment of employees and job applicants. Equality in working life means that people have equal opportunities to obtain work and a livelihood. This should be true regardless of their nationality, ethnic origin, religion or belief, sexual orientation, age, gender, sexual identity or personal experience of gender, or of whether they suffer from a disability or illness. All employees must also have equal opportunities to benefit from training. They should have an equal opportunity to career advancement and are entitled to a harassment-free working environment. Equal treatment gives everyone the same opportunities.

Legislation is used to ensure equality in working life. But, to reap all the benefits of diversity, an organisation must genuinely commit itself to ensuring equal opportunities and tackling discrimination. The management must make it clear that discrimination will not be tolerated under any circumstances. This often means that a conscious decision should be taken and communicated to employees. The equality viewpoint must be included in all activities of an enterprise or organisation, from salaries to recruitment and from training to allocating tasks. In this way, equality becomes part of the organisation's

everyday activities, and there is no need to remind employees of it separately.

In certain situations, employers have to reach out to groups that traditionally encounter barriers and discrimination in the labour market. Treating all job applicants or employees equally does not, in all

cases, ensure **genuine equality**. On the contrary: positive action to encourage certain groups may be needed to ensure equality in working life. More information on this is given on page 16.

To ensure the equal treatment of persons with disabilities, and to create an accessible working environment for them, under the Non-Discrimination Act employers must make **reasonable adjustments** to conditions in the workplace, if necessary. Workplaces can be made accessible to disabled people by installing a ramp on a staircase, for example. Other measures include arranging a job interview at an accessible location and allocating tasks in the right way. Employers can also provide special equipment or opportunities for training and guidance.

However, equality is not problem-free. Some people may have to lose privileges to ensure equal opportunities for all. To commit all members of a workplace to equality, all employees, the trade union movement and groups more likely to experience inequality, should be involved in planning and building a non-discriminating workplace. This inclusive approach works best when the aim is to make it clear to everyone that equality is intended for all members of the workplace.

Every tenth employee has experienced discrimination based on favouritism, on the basis of his or her personality..

(Statistics Finland)

### 3. Equality and preventing discrimination in working life

Diversity in working life is linked to preventing discrimination and promoting equal opportunities. Equality cannot be implemented without non-discrimination. In turn, non-discrimination can only be achieved if prejudices and stereotypes are recognised and eliminated.

Almost 70% of Finns considered equality before the law to be the most important fundamental right.

(YLE News)

#### Legal basis of equality and prevention of discrimination

The following laws, among others, include provisions on equality, non-discrimination, gender equality, equal treatment and the prohibition of discrimination:

- The Constitution of Finland (731/1999)
- Non-Discrimination Act (21/2004)
- Act on Equality between Women and Men (609/1986, Equality Act).
- Employment Contracts Act (55/2001)
- State Civil Servants' Act (750/1994)
- Act on the Employment Security of Municipal Officeholders (304/2003)
- Seamen's Act (423/1978)
- Occupational Safety and Health Act (738/2002)
- Penal Code (39/1889)

**The Finnish Constitution** guarantees equality before the law: it prohibits discrimination on the grounds of sex, age, origin, language, religion, conviction, opinion, health, disability or any other reason concerning the individual's person.

In addition, **the Non-Discrimination Act** prohibits discrimination. This Act is applicable, among others, to recruitment criteria, work conditions and terms of employment. It also applies to access to personnel training and career advancement. The Non-Discrimination Act also lays down provisions on reasonable adjustments to adapt working conditions to make them suitable for persons with disabilities. Furthermore, the Act permits specific measures aimed at achieving genuine equality (**positive action**).

The Non-Discrimination Act states that public authorities must foster equality methodically and purposefully. To support their activities, public authorities must draw up an **equality plan**, listing measures to foster equality and prevent discrimination.

**The Equality Act** includes provisions that prohibit gender discrimination. The Act states that employers which regularly employ at least 30 employees must draw up an **equality plan**. This applies to employers in both the private and public sectors. Non-discrimination and equality planning are explained in more detail on pages 32–34.

The **Employment Contracts Act** contains provisions on the equal treatment of employees. In addition to grounds prohibited under other laws, the Employment Contracts Act prohibits any unjustified discrimination against employees on the basis of e.g. opinion, family ties, trade union activity or political activity. It also lays down that, without proper and justified cause, fixed-term and part-time

employment relationships should not have less favourable employment terms than other employment relationships.

The **Occupational Safety and Health Act** obliges the employer to provide employees with sufficient guidance in their work, work assignments and working conditions. They must also ensure that the employee has understood such guidance.

**The Penal Code** specifies discrimination at work as a punishable act.

The Non-Discrimination Act, Equality Act and the Occupational Safety and Health Act prohibit the harassment of employees.

## What is discrimination and what is not?

In working life, the unequal treatment of employees or job applicants without an acceptable reason, on the grounds that they belong to a certain group, constitutes discrimination. In many cases, discrimination is based on prejudices, stereotyped attitudes and notions of the group in question. Another reason for discrimination can be ignorance or thoughtlessness. Discrimination is exclusion, sending out a message that the person discriminated against is different and inferior. Discrimination can also be structural. In such cases, agreements, laws or services might place one group in a worse position than others.

## Discrimination can be

**1. Immediate, i.e. direct,** meaning that an employee or applicant is treated less favourably than someone else in a similar situation. For example:

- A foreigner receives lower pay than Finnish employees even if they work in the same position on similar preconditions.
- The employer specifies in the job advertisement that the position is intended for young applicants only, even if an older person could easily manage the tasks in question.
- The most qualified female applicant is not selected because she is pregnant and this means costs for the employer.
- Due to health reasons, an employee is unable to perform his/her tasks and is moved to another position. The same person is then moved back to the unsuitable position, and these tasks are set as the precondition for continuing at work.

**2. Implicit, i.e. indirect,** in which case an apparently impartial regulation, justification, instruction or practice in fact leads to the employee or job applicant being placed in an unfavourable position in comparison with others. For example:

- Recruitment requires full command of the Finnish language, or the completion of military service, even if this is not necessary for performing the work.
- Recruitment requires a driver's licence from all applicants, even though the company already has other employees with a driver's licence and the work only involves the occasional transport of goods.
- An organisation avoids hiring young women (of childbearing age) for permanent positions, fearing the costs of any possible parental leave.

**3. Harassment,** such as jokes told for the purpose of insulting others, calling others names, or insulting and humiliating conduct. For example:

- Suggestive gestures and indecent jokes.

**4. An instruction or order** to discriminate against someone. For example:

- The employer prohibits an employee from hiring a person belonging to a certain ethnic, religious or age group.

JOTTA VALINTA OLISI REILU,  
KAIKILLA ON SAMA TESTI:  
HYPPIKÄÄ PORTAAT YLÖS JA ALAS,  
NOPEIN SAA PAIKAN!



– To make selection fair, everyone has to perform the same test: jump up and down the stairs - the fastest one will get the job!

## What does not constitute discrimination?

Different treatment is not viewed as discrimination, when based on the nature of the tasks involved, and the vital requirements for their performance (for an acceptable and compelling reason related to the work). For instance, good eyesight can be required of a person intending to become a pilot.

Positive action does not qualify as discrimination. Positive measures are always aimed at achieving genuine equality. Positive action must be appropriate to its objective.

## What is multiple discrimination?

Multiple discrimination means that an employee or job applicant faces discrimination on two or more grounds. Various grounds for discrimination can be combined in certain situations, or the person may be discriminated against on different grounds in different situations.

Multiple discrimination is related to diversity of identity: a woman can be a foreigner, a foreigner can be disabled, a person with disabilities can belong to a sexual minority, a person belonging to a sexual minority can be aged, and so on. One person can be all of these and face discrimination on all of these grounds. Multiple discrimination is particularly problematic for those facing it, because discriminatory situations are often hard to recognise, which makes it difficult to intervene in them.


## What is positive action?

**Positive action** refers to measures which the employer takes to improve the position of employees and job applicants who are at a disadvantage to others. When the aim is the realisation of equal opportunities, this does not involve discrimination against others.

The aim of positive action is to ensure a level playing field for particular groups, as in the following examples:

- Supporting women's careers through a mentoring programme with the aim of reaching executive positions within an organisation, or a specific module in induction training for immigrants.

- Persons with an immigrant background, or an applicant whose gender is underrepresented in the workplace, can be favoured in recruitment when the candidates' qualifications are otherwise equal. Positive action can also be based on an equality plan or gender equality plan. However, the procedure must not lead to discrimination against another group.
- A parking space can be arranged for the car of an employee with a physical disability, very close to the workplace. This might mean that another employee, for whom the parking space is not vital, has to give it up.
- Working on the telephone is not included in the duties of an employee with impaired hearing. Instead, contacts are managed via email, text messages and other visual media.
- The shifts of a Muslim employee are arranged as far as possible so that he or she can have Fridays off for religious reasons.

 In 2008, immigrants' unemployment rate was approximately three times higher than that of native Finns.

(Statistics Finland)

## 4. Diversity management

To be successful, a company has to use its personnel resources efficiently. The aim of diversity management is to benefit from various staff skills and resources in the most diverse way possible. Another aim is to improve the wellbeing of employees and help them cope better at work. Innovativeness can also be improved by encouraging different perspectives among staff. Results improve when people tackle the same challenges from different angles and come up with different solutions. Including all personnel groups in planning and decision-making is a key part of diversity management. This means that open and flexible planning and cooperation practices need to be developed within the workplace.

An organisation that truly makes use of individuals' abilities and resources takes consideration of diversity in all HR management, such as pay, career advancement, employee performance reviews and arranging tasks. In addition, preparing an HR statement, defining the requirement levels of positions and individual work planning support diversity management.

By modelling tasks, the knowledge and skills of employees with long work histories, and those of aging employees, can be passed onto other workers. They can also be passed on through mentoring. Otherwise, this silent knowledge and experience is hard to transfer to other employees, for example when an experienced employee retires.

Strategic objectives, management procedures and the development of competencies should take account of diversity. Training both management and staff will help reverse negative attitudes and develop staff skills in diversity issues. Competencies can be

assessed using various tools, such as a competence matrix or circle of competence that charts diversity skills.

A diversity survey can be conducted in order to chart and develop the general attitude environment. The results of such a survey can be considered together with the entire staff.

Well-managed **recruitment** and proper **induction** are keys to managing a diverse workforce. Diversity management principles can be included in recruitment and induction processes, in order to help change negative attitudes and introduce new, diverse competencies in the organisation in question. The following are examples of this:

- Making diverse use of recruitment channels: for instance, attempts made to reach employees with immigrant backgrounds, via their own networks.
- Job advertisements are drawn up making sure that they do not discriminate against, for instance, women, older people or people with foreign backgrounds. Advertisements use pictures reflecting the diversity of personnel.
- Diversity training is arranged for supervisors and recruitment staff to improve their awareness of personal, stereotyped attitudes.
- All qualified applicants are guaranteed equal opportunities in selection, by making sure that recruitment is objective.
- Quantitative targets are established for recruiting employees with ethnic minority backgrounds.

Using induction, new employees are guided in their future tasks and made familiar with the working environment. They are also familiarised with the aims and operational principles of the company or organisation. Such induction must also review occupational safety practices. However, successful induction is always a two-way process: in addition to the induction of a new employee, the entire working community needs induction to the newcomer, his or her background, knowledge and skills. The induction programme should take account of the different needs of employees on an individual basis. A personal work supervisor or mentor should be appointed for a new employee, to help in induction. Effective induction is particularly important to employees whose cultural background is not Finnish.

## 5. Recognising and intervening in discrimination in the workplace


Each workplace consists of different people. Diversity brings new perspectives to the interaction between people and creates new, innovative operating methods. However, an operating culture based on the viewpoint of the majority is often emphasised in the workplace. As a consequence, individuals differing from the majority in the workplace may face discrimination or harassment more easily than others. Discriminating conduct must be recognised in order to intervene in such cases.

### Challenges to equality in working life

Certain groups in the workplace are more likely to encounter inappropriate or unequal treatment than others. Therefore, when discussing the diversity and equality of the workplace, attention should be paid, for instance, to the following issues.

Stereotypes and prejudice often underlie negative attitudes towards **different skin colours, manners of speech or clothing**. Prejudice may lead to underestimating the professional skills of an employee with an immigrant or ethnic minority background, or over-emphasised supervision of their work performance. People can find a strange culture awkward or even frightening. Colleagues may avoid contacts with an employee belonging to an ethnic minority and may ‘forget’ to invite this person to various events.

Recruitment does not necessarily recognise or make good use of the competence and training of a job applicant with an immigrant

 The majority of enterprises would be prepared to hire a Romany person with the suitable education and work experience for the position.


(Syrjä & Valtakari)

background. In addition, the employment of Romanians may be prevented by the employer's doubts about their commitment and honesty. Prejudice also prevails against the traditional dress codes of Romanians. However, many of them are ready to change their traditional outfit for working clothes, particularly at workplaces with no other Romanians as employees or customers. On the other hand, wearing a traditional Romani outfit is perfectly possible at many workplaces.

In Finland, **religion** is considered a private matter that does not need to show in the workplace. However, a variety of cultural traditions are closely connected to religion, such as the celebration of feasts and holidays. Colleagues or the employer may find it strange if someone engages in religious practices during the workday, follows a diet differing from Finnish traditions, or complies with a different dress code.

In many cases, stereotyped ideas of **gender** and **sexual roles** put people in unequal positions. For instance, there can still be negative attitudes to men taking parental and child-care leave, particularly in the private sector. In fact, workplaces do not always encourage men to use their right to parental leave to a sufficient extent.

Women, more than men, feel that their gender is a disadvantage in working life, for example as regards wages, the appreciation of professional skills and career advancement. If an employer considers an industry 'men's work', he may favour men in recruitment, without being aware of this. A female applicant might be turned down

 In 2006, the difference between women's and men's wages was 558 euro per month.

(Statistics Finland)

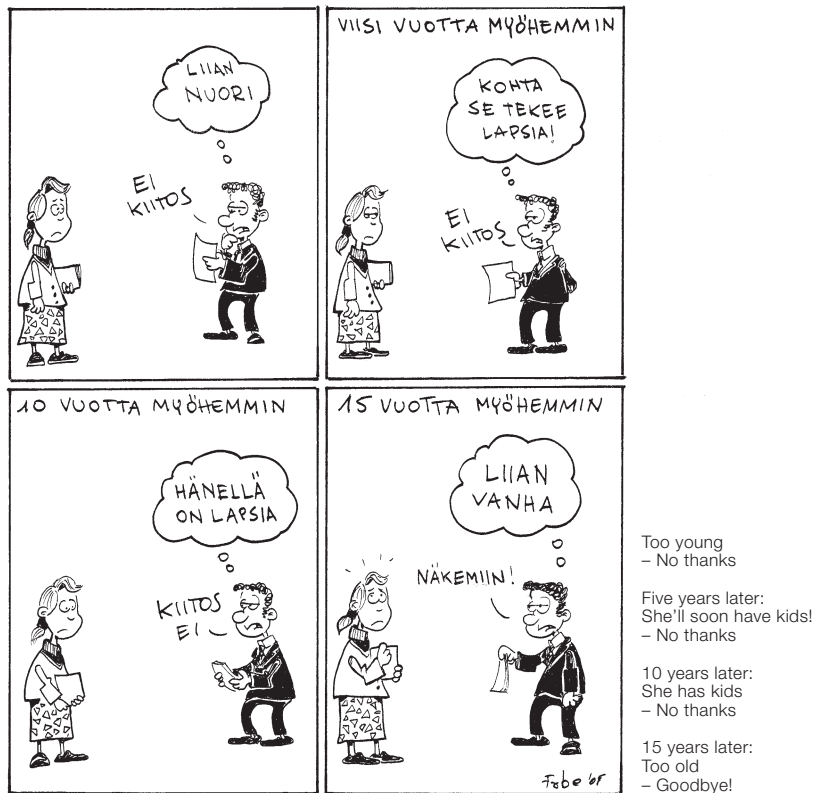


because she is pregnant, or the employment contract of a fixed-term employee may not be extended once she becomes pregnant. When an employee returns to work from parental leave, he or she may find that their position has vanished.

- Hi Heino, this is our new colleague. His name is Ahmed!
- Hi!
- Good day to you!
- Times have changed!
- How come?
- You're not exactly the great white hope!

A person of the same or opposite sex may commit **sexual harassment** in the workplace. Inappropriate remarks or questions concerning a colleague's body or sexuality as well as indecent comments, material, letters, text messages and email messages qualify as sexual harassment. Any proposals, threats or demands for sexual favours which make use of the harasser's position in the organisation, or a relationship based on trust, do not belong in the workplace. Furthermore, making physical advances in any way also constitutes harassment.

Prejudices against **people of different ages** are persistent: an older employee may be considered unproductive, a slow learner of new



things, or unwilling to adapt to new situations. Young people can be considered innovative, but on the other hand unreliable. Some collective labour agreements contain provisions that allow e.g. under 18-year-olds to be paid less than other employees. Whenever an employer dismisses employees for financial and production-related reasons, the dismissed employees must be selected based on criteria other than age.

Attitudes to **disability** form the major challenge for the employment of persons with disabilities. In many cases, disability is regarded as an illness and a person with disabilities as the opposite to a healthy person. Discrimination is common, particularly in job-seeking situations, but even employed people can face discrimination due to their disability. Some people may automatically assume that a physical disability or hearing impairment prevents a person from performing at work. Colleagues with a disability may be left on their own because others are unable to interact naturally with them.

However, various work arrangements, technical appliances and an accessible work environment can enable persons with disabilities to work smoothly. Communication is also a great help in these situations. Employers often unnecessarily dread the costs of such arrangements. However, a variety of public forms of support exist to help employers when hiring a person with disabilities or to assist the disabled person in adapting to the workplace and daily tasks. More information on these is available, for instance from Employment and Economic Development Offices, employers' federations and disability organisations.

Heterosexuality is still considered the standard, and people are drastically divided into two genders. Therefore, **non-heterosexual people** face discrimination, intentional or otherwise. People may refer

In 2007, the number of people with disabilities capable of work totalled 70,000, but 40 percent of them did not have a job.

(Syrjintä Suomessa 2008)

Approximately 10–15 percent of the entire population belongs to sexual and gender minorities.

(Seksuaali- ja sukupuolivähemmistöt työelämässä)

jokingly over coffee to gays or lesbians, without realising that someone present may feel uncomfortable or offended. It is difficult for sexual minorities to participate in discussions concerning their private lives without revealing their sexual orientation, which may lead to them becoming isolated in the workplace.

People may fear that disclosure of their **sexual orientation** will have a negative impact. For instance, employees on fixed-term contracts may try to hide their orientation, fearing that their term of employment will otherwise not be continued. Family leave can be difficult to arrange in gay and lesbian families, and a spouse of the same gender is not always considered next-of-kin.

Strict division between different genders places **sexual minorities**, i.e. **transsexual people** in a difficult position in working life. In extreme cases, a gender reassignment process may even result in losing one's job, if the employer takes a negative attitude to the matter. The dress code in the workplace or hygiene and dressing room facilities pose the most common challenges for sexual minorities.

**Political activity** or **trade union activism** may cause mistrust. Earlier activity as a shop steward may lead to discrimination in recruitment, or an occupational safety delegate may face discrimination in the division of duties due to his or her trade union activities.

Sometimes too much attention is paid to the applicant's **family background** or **other aspects of their private life**. Suspicions can arise about the ability to cope with tasks, for instance if the applicant has a child with disabilities, or if the person acts as home carer for his or her aged or ailing next-of-kin. The political activity or trade

union activism of the applicant's parents or spouse may also prevent the applicant from being hired.

## How to recognise discrimination?

Discrimination is not always easy to recognise. However, every supervisor, shop steward and employee should be able to recognise situations and practices in the workplace that involve discrimination. Such recognition will make intervention easier. In the end, the employer is responsible for ensuring that no-one is discriminated against.

### Examples of discrimination

- Harassment and bullying.
- Violation of privacy and physical integrity – for instance physical advances or prying into another person's personal email messages.
- Defects or stereotypes are associated with the discriminated person – for instance, women can be regarded as lacking commitment as employees, ethnic minorities as people with defective skills, people with disabilities as having limited intelligence, trade union activists as troublesome or older employees as set in their ways.
- Exclusion – the person suffering discrimination is isolated in the workplace.
- Standardisation – the culture, way of life or conduct of the majority is set as a standard, and people who deviate from it are placed at a disadvantage.
- Other forms of unfair treatment – for instance, different rules for different groups, or the different application of rules for different persons.

## What should I do in cases of discrimination?

### **If you are discriminated against:**

- Try to solve the problem at the workplace in the first instance!
- If possible, discuss the matter first with the person practising discrimination.
- You can also note down the events (time, place, those present, etc.)
- Ask the shop steward at the workplace, the occupational safety delegate or another staff representative for help. Take up the issue together with your closest supervisor.
- If the person who discriminates against you is a supervisor, discuss the matter with his or her supervisor.
- If the problem cannot be solved at the workplace, contact your trade union yourself or ask the staff representative to do so. You can also contact the local Occupational Safety and Health Inspectorate or the Ombudsman for Equality, if the matter concerns equality between women and men.
- If you cannot reach a solution, the matter can be brought before a court of law, or a request for investigation can be submitted to the police.

### **If you detect discrimination as an employer or supervisor:**

- Intervene in the matter immediately if you detect discrimination or inappropriate treatment, or if someone complains to you about discrimination.
- Make it absolutely clear that discrimination will not be tolerated.
- Discuss the matter with a staff representative or at the work safety committee.
- If necessary, ask your supervisor for support.
- If advice, warnings and other methods do not work, you can even consider dismissing the person who discriminates.
- If the situation is heated, use outside help and contact your employers' federation or the local Occupational Safety and Health Inspectorate.
- If you are party to an incident of discrimination, always ask for outside help and contact your employers' federation or the local Occupational Safety and Health Inspectorate.
- Take action in order to prevent the incident from recurring. Agree on rules in a co-operation procedure or with staff representatives.

### **If you detect discrimination as a staff representative:**

- Intervene in any case of discrimination, harassment and bullying.
- Help any employee who suspects discrimination by contacting the employer, trade union and authorities.
- In the negotiations, try to achieve a result which remedies the grievance.
- Ask your trade union for help and advice. You can also consult the local Occupational Safety and Health Inspectorate or, if the matter concerns gender equality, the Office of the Ombudsman for Equality.
- Obtain information on discrimination and equal treatment.

## 6. How to promote diversity in the workplace?

In what kind of workplace can an employee belonging to a minority feel accepted? How to respond in the workplace to the challenges posed by increasing diversity? How can I, as a supervisor or employee, encourage diversity in my workplace?

Employees' competencies can remain unnoticed due to prejudice and negative attitudes in the workplace. Discrimination and mistrust cause tensions between employees and lower motivation. If no common rules exist, everyone will act in their own way. Equal treatment is seldom realised if the common set of rules, and procedures that follow from their violation, are not familiar to all.

Supervisors play a key role in building confidence and an open, interactive culture. Management of the diversity of work communities can help a company or organisation benefit from pluralism, different views and different ways of working. When employees are committed to their work, their work motivation and competence increases. It is vital to discuss issues related to diversity and differences in the workplace, even if no urgent problems exist.

Interaction between employees shapes the working culture and practices. Diversity management increases the accountability of staff and their opportunities to influence their own work. In a diverse workplace, where trust and an open culture of interaction prevail, the number of different views and experiences increases. When a basis is provided for creativity and innovation, productivity also increases.

### **As a supervisor, it is your duty to**

- Ensure that no-one remains outside cooperation and networks,
- Involve personnel and enhance cooperation and an open working atmosphere,
- Address even difficult issues,
- Create a set of common rules together with employees (on conduct, taking others into consideration, appropriate types of humour etc.) to prevent discrimination and inappropriate conduct,
- Monitor the implementation of the agreed set of rules at the workplace,
- Communicate an equal attitude to all employees, via your own conduct,
- Cooperate with the shop steward, occupational safety delegate and other staff representatives.

### **As an employee, it is your duty to**

- Review your own attitudes and values in daily work,
- Treat your colleagues well, respecting them as they are,
- Advance cooperation and team spirit through your own conduct.

### **As a staff representative, it is your duty to**

- Develop yourself and your competence in matters of diversity, equality and non-discrimination,
- Develop equality in the workplace actively, together with your employer,
- Supervise compliance with laws and agreements at the workplace,
- Participate in communicating on diversity and equality at the workplace,
- In your position of trust, act equally and fairly in relation to your colleagues and supervisors,
- Represent employees in matters related to the employer/employee relationship at the workplace.

In addition, you are entitled to require that the employer does not discriminate against you because of your position of trust.

## **Equality and non-discrimination planning**

According to the Non-discrimination Act, public authorities must foster equality and prevent discrimination in a planned, goal-oriented way. All public authorities must draw up an **equality plan** that defines the objectives, contents and methods of equality work, alongside the monitoring of the related results. The scope of the plan depends on the nature of the authority's activities. Such a plan must at least concern ethnic equality, but it can also cover other groups vulnerable to discrimination.

First and foremost, an equality plan must cover the operational equality of the organisation in question, such as operational planning and control activities, result planning and communications. The plan

should also deal with the equality of personnel (staff training and HR management, attitude environment and internal interaction). The preparation of an equality plan is voluntary for parties other than public authorities.

However, all employers employing at least 30 employees must draw up an **equality plan** that covers gender-related issues, including sexual minorities. The Act on Equality between Women and Men lays down provisions on the minimum requirements for the plan. These emphasise the duty of the employer to actively foster equality within the organisation.

Companies must also draw up a **personnel plan** and **training objectives** annually, through co-operation negotiations. This obligation applies to companies employing a minimum of 20 employees on a regular basis. The plan must handle issues related to e.g. the development of a personnel structure, the special needs of ageing employees, and the reconciliation of work and family life.

Moreover, all workplaces must have an **occupational health and safety action plan** for the maintenance, follow-up and development of occupational health and safety. Such a plan should also take account of the objectives set for occupational health and safety. Methods of promoting the health, safety and working capacity of employees in the workplace must be entered in the plan.

A key element in the preparation of all plans is the discussion of equality and non-discrimination issues conducted within the workplace. Open discussion can help pinpoint concrete development targets and identify practical solutions to achieve them. Just drawing up plans is not enough! Their implementation must be monitored

and they must be updated at regular intervals.

If a separate equality plan is not in place, the gender equality plan, personnel plan and occupational health and safety action plan should include equality issues on a diverse basis (for instance, the age issue, disability and ethnic background).

A multiple equality plan is recommended not only for public authorities but also for enterprises and organisations.

**In 2008, only some 60 percent of workplaces had completed an annual equality plan and pay survey.**

(Helsingin Sanomat)

## Multiculturalism in Itella Corporation

Since the 1980s, Itella Corporation has placed an emphasis on being a multicultural workplace. These efforts show in the continuous increase in the number of employees with a foreign background, and their career development.

In addition to recruitment, Itella Corporation has also been implementing multicultural work in the form of staff training, e.g. language training and “Culture conscious on-the-job-counsellors” training sessions.

In early 2007, a multiculturalism work group was launched in Itella Corporation to support and foster multiculturalism and diversity work throughout the corporation. Among other measures, the work group has developed a multicultural operating model approved by the Corporation’s management team.

## Diversity planning in the City of Espoo

**The diversity plan of the City of Espoo** fulfils the requirements of the Equality Act and Non-Discrimination Act concerning equality in HR policy. The concept of human equality is included, based on the principle of integration, in all sectors of HR planning.

The implementation of equality and non-discrimination in city services is taken into account in the diversity plans and service strategies of different sectors.

Diversity planning is connected to several HR planning practices in the City of Espoo. Examples include the development of educational planning, a recruitment model for immigrants and an assessment model for gender-related impacts.

## Prohibited grounds for discrimination

<b>Ethnic and national origin, nationality</b>	Ethnic minorities refer both to immigrants and their offspring and so-called old ethnic minorities in Finland: Romanies, Sami, Tatars, Jews and representatives of the old Russian community. Discrimination on the basis of ethnic and national origin and nationality is prohibited.
<b>Sexual orientation</b>	The term ‘sexual orientation’, as used in Finnish legislation, has in some contexts been interpreted as also referring to gender minorities. In Finland, gender minorities, which refer to transsexual people, transgender people, transvestites and intersexual people, fall within the scope of the Equality Act, even though the Act does not include any actual clarifying provisions.
<b>Sexual minorities</b>	People with a sexual orientation other than heterosexual belong to sexual minorities.
<b>Disability</b>	Persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which, in interaction with various barriers, may hinder their full and effective participation in society on an equal basis with others (UN Convention on the Rights of Persons with Disabilities). A person with a disability is often fully capable of work, if the work environment is adapted to meet his or her needs. The challenges that various groups of people with disabilities face vary to a great extent: for instance, people with physical disabilities often encounter challenges in the environment in which they have to move around, whereas those who are hard of hearing face challenges in the accessibility of communications.
<b>Health</b>	A person’s health or medical history does not justify discriminatory behaviour towards him/her. A person’s state of health must not unjustifiably influence, for instance, his/her recruitment or career advancement.
<b>Age</b>	Age discrimination means that people are discriminated against because they are of a certain age. For instance, in job advertisements, age limits are prohibited. Dismissal for financial or production-related reasons must not be targeted at the oldest only. In addition to older people, even young people can face discrimination in the labour market. Many women at the prime of childbearing age may also be in a worse position than others: this would qualify as discrimination based on both gender and age.

<p><b>Religion, belief</b></p>	<p>In working life, people must not be placed at a disadvantage because they are members of a certain religious group or, for instance, because the person has not completed military service due to his or her beliefs. Beliefs or convictions may also relate to the person's political ideology or activity in the trade union movement. Questions concerning equality can relate to the person's position as a shop steward, or merely unionisation. Issues may also arise in terms of allowing religious activity, following religious practices or in the form of prejudice against religion.</p>
<p><b>Opinion</b></p>	<p>Usually, this refers to social or political opinions. An employee must not be discriminated against, for instance because he or she demands that foreigners must receive the same pay as Finnish employees.</p>
<p><b>Language</b></p>	<p>This ground does not apply to situations where the applicant's language skills are insufficient in order to perform at work. However, if the qualification requirements are met, the person's mother tongue may not constitute the reason for not employing him or her.</p>
<p><b>Gender</b></p>	<p>Discrimination based on gender is prohibited, since the Equality Act protects both men and women. Gender is often related to discrimination on multiple bases: for instance, women with an immigrant background or young Muslim men may feel 'doubly discriminated against'.</p>
<p><b>Other reasons related to one's person</b></p>	<p>Other reasons may include financial position, family relationships or participation in the activities of associations.</p>

## Sources of advice and further information

	Source of advice	Contact information
<b>Ethnic origin or nationality</b> <b>Romanies</b> <b>Sami</b>	Ombudsman for Minorities	<a href="http://www.vahemmistovaltuutettu.fi">www.vahemmistovaltuutettu.fi</a>
	The Refugee Advice Centre	<a href="http://www.pakolaisneuvonta.fi">www.pakolaisneuvonta.fi</a>
	Advisory Board for Ethnic Relations	<a href="http://www.romani.fi">www.romani.fi</a>
	Advisory Board on Romani Affairs in Finland	<a href="http://www.samediggi.fi">www.samediggi.fi</a>
	The Finnish Sami Parliament	<a href="http://www.ihmisoikeudet.net">www.ihmisoikeudet.net</a>
	The Human Rights Project	<a href="http://www.rasmus.fi">www.rasmus.fi</a>
	Rasmus Network Against Racism and Xenophobia	
<b>Gender</b>	The Ombudsman for Equality	<a href="http://www.tasa-arvo.fi">www.tasa-arvo.fi</a>
	The Equality Clinic	<a href="http://www.tasa-arvoklinikka.fi">www.tasa-arvoklinikka.fi</a>
	The Council for Equality	<a href="http://www.tane.fi">www.tane.fi</a>
	Web Portal for Women's Studies and Gender Equality in Finland	<a href="http://www.minna.fi">www.minna.fi</a>
<b>Gender identity</b>	SETA ry., Finnish association for sexual and gender minorities	<a href="http://www.seta.fi">www.seta.fi</a>
	Transgender Support Center	<a href="http://www.transtukipiste.fi">www.transtukipiste.fi</a>
<b>Sexual orientation</b>	SETA ry., Finnish association for sexual and gender minorities	<a href="http://www.seta.fi">www.seta.fi</a>
	Sexual and gender minorities in working life	<a href="http://www.valt.helsinki.fi/sosio/tutkimus/equal">www.valt.helsinki.fi/sosio/tutkimus/equal</a>

<b>Disability</b>	<p>The National Council on Disability VANE</p> <p>Kynnys, the Threshold Association</p> <p>The Finnish Association of People with Physical Disabilities</p> <p>The Finnish Disability Forum</p> <p>The Finnish Federation of the Visually Impaired</p> <p>The Finnish Association on Intellectual and Developmental Disabilities / Plain Language in Finland</p> <p>Information on accessibility planning</p> <p>The Finnish Federation of Hard of Hearing</p>	<p><a href="http://www.vane.to">www.vane.to</a></p> <p><a href="http://www.kynnys.fi">www.kynnys.fi</a></p> <p><a href="http://www.invalidiliitto.fi">www.invalidiliitto.fi</a></p> <p><a href="http://www.vammaisfoorumi.fi">www.vammaisfoorumi.fi</a></p> <p><a href="http://www.nkl.fi/tietoa/esteettomyys">www.nkl.fi/tietoa/esteettomyys</a></p> <p><a href="http://www.papunet.net/selkokeskus">www.papunet.net/selkokeskus</a></p> <p><a href="http://www.elsa.fi">www.elsa.fi</a>  <a href="http://www.esteeton.fi">www.esteeton.fi</a>  <a href="http://www.esteettomyys.net">www.esteettomyys.net</a></p> <p><a href="http://www.kuuloliitto.fi">www.kuuloliitto.fi</a></p>
<b>Age Old age Youth</b>	<p>The Central Union for the Welfare of the Aged</p> <p>Advisory Council for Youth Affairs (Nuora)</p> <p>Finnish Youth Co-Operation – Allianssi</p>	<p><a href="http://www.vanhustyonkeskusliitto.fi">www.vanhustyonkeskusliitto.fi</a></p> <p><a href="http://www.minedu.fi/nuora">www.minedu.fi/nuora</a></p> <p><a href="http://www.alli.fi">www.alli.fi</a></p>
<b>All grounds for discrimination</b>	<p>The local police</p> <p>Victim Support Finland</p> <p>The Finnish League for Human Rights</p> <p>The Ombudsman for Children in Finland</p> <p>Trade unions</p> <p>Employers' federations</p>	<p><a href="http://www.poliisi.fi">www.poliisi.fi</a></p> <p><a href="http://www.rikosuhripaivystys.fi">www.rikosuhripaivystys.fi</a></p> <p><a href="http://www.ihmisoikeusliitto.fi">www.ihmisoikeusliitto.fi</a></p> <p><a href="http://www.stm.fi">www.stm.fi</a></p>

<b>Discrimination at work</b>	Occupational Safety and Health Inspectorate	<a href="http://www.tyosuojelu.fi">www.tyosuojelu.fi</a>
	Confederation of Finnish Industries EK	<a href="http://www.ek.fi">www.ek.fi</a>
	Commission for Church Employers	<a href="http://www.evl.fi/kkh/heo/">www.evl.fi/kkh/heo/</a>
	Commission for Local Authority Employers	<a href="http://www.kuntatyonantajat.fi">www.kuntatyonantajat.fi</a>
	State Employer's Office	<a href="http://www.vm.fi/vm/fi/12_Valtio_tyonantajana/03_Valtion_tyomarkkinalaitos/">www.vm.fi/vm/fi/12_Valtio_tyonantajana/03_Valtion_tyomarkkinalaitos/</a>
	SAK – Central Organisation of Finnish Trade Unions	<a href="http://www.sak.fi">www.sak.fi</a>
	STTK – Finnish Confederation of Salaried Employees	<a href="http://www.sttk.fi">www.sttk.fi</a>
AKAVA – The Confederation of Unions for Professional and Managerial Staff in Finland	<a href="http://www.akava.fi">www.akava.fi</a>	
<b>Legal advice</b>	Ministry of Justice	<a href="http://www.oikeus.fi">www.oikeus.fi</a>
<b>Diversity management</b>	Diversa Consulting	<a href="http://www.diversa.fi/tyokirja.pdf">www.diversa.fi/tyokirja.pdf</a>
	Finnish Business & Society ry (FiBS)	<a href="http://www.fibsry.fi">www.fibsry.fi</a>
	The Finnish Association for Human Resource Management - HENRY ry	<a href="http://www.henryorg.fi">www.henryorg.fi</a>
	The Palmenia Centre for Continuing Education and Diversa Consulting / Moniverkko project	<a href="http://www.palmenia.helsinki.fi/moniverkko/">http://www.palmenia.helsinki.fi/moniverkko/</a>
<b>Equality and discrimination</b>	The Equality Portal	<a href="http://www.yhdenvertaisuus.fi">www.yhdenvertaisuus.fi</a> <a href="http://www.equality.fi">www.equality.fi</a>
	The European Commission / Tackling discrimination	<a href="http://ec.europa.eu/social/">http://ec.europa.eu/social/</a>

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TYÖ- JA ELINKEINOMINISTERIÖ  
ARBETS- OCH NÄRINGSMINISTERIET  
MINISTRY OF EMPLOYMENT AND THE ECONOMY