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Women Working in Finland: Experiences of Discrimination in the Workplace and in Recruitment

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| <p>This research is about the women's experiences of discrimination in the workplace and in recruitment situations in Finland. The research was executed as a survey, which used quantitative and qualitative research methods. The survey was divided in to four parts, and the following information was included in the survey: the general information of the women who answered the survey, women's experiences of discrimination in the workplace, women's experiences of discrimination in recruitment, the knowledge of discrimination legislation and how all these experiences affected the women respondents. The survey was answered by 56 women that at the time lived in Finland and were between the ages of 18 to 60 years old.</p> <p>The theory focuses on the Finnish legislation regarding discrimination, how to prevent, identify and resolve discrimination, and how previous law cases and the history of women's work in Finland affect today's society. Discrimination is defined as treating someone unfairly compared to how some other person would have been treated in a similar situation. Discrimination is forbidden in Finland in the following laws: the constitutional law, the Non-Discrimination Act, the Employment Contracts Act and the Act of Equality Between Men and Women.</p> <p>The best way to prevent discrimination from happening is to make sure employers have enough education on discrimination and that there are clear roles in organizations. If discrimination still happens employees should contact the occupational safety and health authority of the organization or the police. If discrimination has occurred in a recruitment situation it is possible to contact the trade union, the ombudsman for minorities or the ombudsman for equality. If it can be proven that discrimination has happened the employer can be fined or imprisoned for up to six months.</p> <p>The results showed that some women had experienced discrimination due to their gender, age, family status, ethnic origin, etc. Most of the women had a good knowledge of discrimination laws. After experiencing discrimination many of the women felt skeptical, suspicious, and uncertain of applying to new jobs regarding discrimination in recruitment. The women who experienced discrimination at the workplace had a difficult time continuing working, felt isolated, not appreciated some even felt anxiety, depression and sleeping problems. Many of these experiences lowered women's work motivation and gave them even more of a desire to change jobs.</p> | |
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1 Introduction

This thesis researches what type of experiences of discrimination women have experienced in the workplace and in recruitment situations in Finland. The study examines what were the concrete situations in which the discrimination happened, how were the women affected by these situations, if their employers did anything to try to prevent discrimination from happening, the repercussions of the discrimination and how much the women were aware of the Finnish legislation regarding discrimination.

Personal experiences were the inspiration behind this thesis: as a woman who has experienced in multiple recruitment situations questionable and suspicious questioning it was interesting to research the Finnish law and find out if these experiences were discrimination or something else. Women's discrimination in working life has been discussed for a long time in media and is an important topic which affects women daily. For these reasons this topic was a clear and interesting topic to do research on.

The theoretical part discusses how the Finnish law protects individuals from discrimination in the work place and in recruitment situations. Furthermore, the theory also looks in to how to prevent, identify and find resolution regarding discrimination cases in work life. In addition, the theory looks in to the history of women in the working life and previous law cases concerning women's discrimination and how these circumstances have possibly affected how women are seen today. The researched section focuses on finding out how many women experienced discrimination, what were these experiences like according to the women, how the experiences made the women feel, and if the employers did anything to try to prevent these discrimination situations.

The Finnish law should in theory guarantee every person the right to be treated equally in working life. However, this is not always the case for many women. Unfortunately, it is almost impossible in today's world not to hear from personal experiences of different women or the mainstream media that women are underpaid, undervalued and underutilized. For these reasons it is of utmost importance that everyone, but especially women, are aware of the discrimination laws and how to protect themselves and their own rights as equal employees.

2 Discrimination

This research was made to investigate what type of discrimination women have experienced in Finland. There are multiple laws in Finland that try to prevent gender-based discrimination. The following laws cover discrimination in Finland: the Finnish constitution 1999, Non-Discrimination Act 2014, Equality Act also known as The Act on Equality between Women and Men 1986, Employment Contracts Act 2014 and the Criminal Law 1889. Finland also must abide by all the laws regarding discrimination made by the European Union.

According to the Non-Discrimination Act, discrimination can be divided in to three different categories: direct discrimination, indirect discrimination, harassment, and instruction or order to discriminate. Direct discrimination is described as treatment of another person less favorably than another person would have been treated in the same type of situation. Indirect discrimination means when impartial provision, criterion or practice puts a person at a specific disadvantage compared with other persons, unless said provision, criterion or practice has an acceptable aim and the means used are appropriate and necessary in order to achieve this aim. Harassment is the intentional or *de facto* infringement of the dignity and integrity of a person or group of people by the creation of an intimidating, hostile, degrading, humiliating or offensive environment and an instruction or order to discriminate. (Yhdenvertaisuuslaki 30.12.2014/1325 8§.)

There are many types of discrimination, the Finnish Non-Discrimination Act states that no one can be discriminated against based on “age, origin, nationality, language, religion, belief, opinion, political activity, trade union activity, family relationships, health status, disability, sexual orientation or any other related cause”. (Yhdenvertaisuuslaki 30.12.2014/1325 8§.)

2.1 The Finnish Constitution 1999

Chapter 2 of the Finnish Constitution addresses issues regarding discrimination regarding basic rights and liberties, including equality. In the eyes of the law everyone is equal before the law. The constitution states the following: “No one shall, without an acceptable reason, be treated differently from other persons on the ground of sex, age, origin, language, religion, conviction, opinion, health, disability or other reason that concerns his or her person” (Suomen perustuslaki 11.6.1999/731 6§). The Finnish Constitution states

as well that the “Equality of the sexes is promoted in societal activity and working life, especially in the determination of pay and the other terms of employment, as provided in more detail by an Act” (Suomen perustuslaki 11.6.1999/731 6§). Section 22 of the Constitution regarding the protection of basic rights and liberties states as well that “The public authorities shall guarantee the observance of basic rights and liberties and human rights” (Suomen perustuslaki 11.6.1999/731 22§)

2.2 The Non-Discrimination Act 2014

The purpose of the Non-Discrimination Act is to foster and ensure equality for all people and prevent discrimination and make sure there is a legal protection for victims of discrimination (Yhdenvertaisuuslaki 30.12.2014/1325 1§). The Non-Discrimination Act is applicable to public and private functions, which means the law applied to recruitment in public and private companies (Yhdenvertaisuuslaki 30.12.2014/1325 2§). The main reason for the Non-Discrimination Act is to make sure no person is discriminated on the basis of “age, ethnic or national origin, nationality, language, religion, belief, opinion, health status, disability, sexual orientation or any other related cause”. (Yhdenvertaisuuslaki 30.12.2014/1325 6§). This does not mean that you are not allowed to treat people differently. However, this makes applying the law fairly tricky since the line can be at times vague.

2.3 The Employment Contracts Act 2014

The Employment Contracts Act states in chapter two, section two, the following: “An employer must treat all employees equally, unless deviating from this is justified in view of the duties and position of the employees” (The Employment Contracts Act 30.12.2014/1331 2§) The Employment Contracts Act also states that a person should not be discriminated on the basis of their contract type. The law makes sure that no contract type is without a decent and justified reason putting a person in less a favorable situation, only due to the nature of fixed-term and part-time employment because of the duration of the employment contract or the working hours (The Employment Contracts Act 30.12.2014/1331 2§).

2.4 The Act of Equality between Women and Men 1986, updated 2015

The Act of Equality between Women and Men was set to obstruct any discrimination based on gender at the work place and to advance equality between men and women

and furthermore better the status of women, especially in working life. For this reason, one of the main aims for this Act was to prevent discrimination based on gender identity or gender expression. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 1 §). By law employers must promote gender equality between men and women when it comes to working life in an intentional and organized manner. In order to do this the employer must for example make sure that any new job openings in a company attract both men and women to apply. The employer must also promote fair recruitment to similar types of jobs and make sure both men and women have equally the same opportunities to advance their careers in working life. In order to promote equality in the work place the employer must treat women and men the same, especially when it comes to pay. The working conditions for both genders must be ensured to be equal. Furthermore, employers should further the balance of working life and family life for women and men, and by doing so, employers should pay attention to working arrangements. In summary, the employer should try to anticipate and prevent the occurrence of discrimination based on gender. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 6 §)

The law also talks about the employer's responsibility to have a gender equality plan every two years. A company that employs at least 30 employees in regular employment relationships must make sure that an equality plan is conducted. These types of plans should deal with particularly income and other terms of employment depending on which the gender equality measures are implemented. The plan regarding gender equality must be made in cooperation with the shop steward or one of the elected representatives who represents the employees and was appointed by the employees. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 6a §)

The plan must have the following components: the current assessment of the status regarding the gender equality, detail of the amount of men and women in different jobs, and a pay survey which lists all employees and those jobs that are performed by women and men, the pay for those jobs and the differences in pay. The survey should also address the imperative measures that have been planned for introduction or implementation with the purpose of fostering gender equality and making sure equal pay is achieved. The plan needs to also have a statement which explains the previously included plans of gender equality in the workplace, how were those implemented, and the results achieved from those plans. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 6a §)

The purpose of the pay survey is to make sure there are no unjustified differences of pay between women and men who are working for the same employer and hired to do either the same work or work of equal value. If the analysis of the pay survey groups, which are defined on the basis of qualification, duty or some other ground, exposes a clear difference in pay between men and women, the employer must specify the reasons and grounds for these differences. After the survey, if there is no clear justification for these pay differences, it is imperative that the employer takes appropriate measures to correct the situation. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 6b §)

The Act on Equality between Women and Men also says that the employer's procedure shall be considered as prohibited discrimination in this Act if the employer:

- Employs a person or considers selecting someone for a specific task or training and bypasses a more qualified person of the opposite sex in favor of the chosen person unless it can be proven that the employer's action would be acceptable and not due to gender, or that the decision was based heavily on nature of the job or task.
- When employing or selecting a person for a specific task or training or deciding whether or not to continue employment relationship or pay or other similar terms of employment puts a person in less favorable position due to pregnancy or child-birth or for some other type of gender-related reason.
- Applies regards to pay or other terms of employment in a way that an employee finds themselves in a less favorable position based on their gender than one other employee when performing the same work or work of equal value.
- manages work, distributes tasks or arranges the working conditions in a way that a person find themselves in a less favorable position than other employees because of their gender
- Gives notice, terminates or discontinues an employment relationship, or transfers or lays off a person based on their gender. (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 8 §)

If a person believes that some of these laws have been broken and feel they have been a victim of discrimination at work, it is very important to immediately contact the company's health and safety representative or the occupational safety and health authority.

It is important first to talk to the party that is being accused of the discrimination. This can be done for example with the help of the company shop steward. However, in case the alleged discrimination has happened in a recruitment situation it is also possible to report it to the police. If the discrimination is about ethnic background it is important to contact the ombudsman for minorities or the discrimination board. If the discrimination is about gender it is possible to contact the ombudsman for equality.

2.5 Permissibility of different treatment

Fair and equal working life stems from treating people in the same way, giving everyone the same and equal opportunities. However, there are situations when it is not considered as discrimination under the following circumstances.

Positive special treatment is not considered discrimination when it is aimed at promoting effective equality or preventing or eliminating disadvantages caused by discrimination. (Yhdenvertaisuuslaki 1325/2014 9 §) In practice this means for example in a recruitment situation choosing an applicant out of two different equally admirable applicants, the person from an underrepresented group. This could mean an immigrant, a disabled person, a young person or someone over the age of 55. However, in order this to be legally allowed it would be necessary to emphasize this positive special treatment in the recruitment assessment criteria, which should be emphasized in the selection process. This type of goal should be properly and systematically taken into account before the start of recruitment. This type of target should be recorded for example in the personnel and recruitment plan or in the equality plan of the company. The weight of this type of treatment should be displayed in the recruitment ad. (Yhdenvertaisuusvaltuutettu, 2018)

“Different treatment in employment and public service, in work placement and other similar activities, as well as in employment or recruitment, is justified if the treatment is based on the quality of the duties and the actual and decisive requirements for the performance of the duties and the treatment is proportionate in order to reach a legitimate aim. In addition, the difference in treatment based on age or residence is justified if the treatment is objectively and properly justified by the employment policy or the labor market objective or if the difference in treatment is due to the age limits laid down for obtaining retirement or invalidity benefits” (Yhdenvertaisuuslaki 1325/2014 12 §)

In practice this means for example the following; setting an age limit from 24 to 30 years of age in order to access the labor market training. The purpose of this type of practice is to reduce youth unemployment. For this reason the aim is to promote the implementation of the Youth Guarantee, by setting an age limit. This type of different treatment is based on age or residence, which is justified if the treatment is objectively and properly justified by the employment policy or the labor market objective. (Yhdenvertaisuusvaltuutettu, 2018)

3 Discrimination in the Workplace

3.1 Prevention

The best way to tackle discrimination in the workplace is to try to prevent it from happening in the first place. To do this, it is important that companies have a clear management model it is important that the personnel know and are aware how the responsibility and power relationships are organized in the company. These types of relationship should be clearly described and included in orientation and training to the personnel in order to make sure everyone knows the authority figures in the organization (Pyykönen, 2017: 149).

According to Kess and Ahlroth (2012: 12) problems often occur in companies that either have inadequate leadership or no leadership at all. The reason why organizations need leadership is that someone must be the one that manages work and carries responsibility. Part of managing work is to make sure every member of personnel knows their place in the organization and what are their own responsibilities, as this creates a balanced and healthy work community. If these responsibilities at the workplace and the power relations are not defined, it creates a hole in the workplace which will be filled in one way or another. However, fulfillment of the hole in the organization does not necessarily happen in a favorable manner. Very often in poorly-run organizations so called “strong personalities” take over the workplace and start bossing around people, which really just proves that the real boss or manager does not lead in a sufficiently effective way.

One of the main responsibilities of the supervisors is to prevent disputes and conflicts within the organization. Some of the main features that good supervisors should have are towards his or her own employees is self-knowledge and predictability. Great supervisors in an organization should recognize the strengths and weaknesses of their own personalities and temperaments and especially how they react to stress. It should also be said that often predictability in supervisors creates safety for the employees. If the employees in the organization can be sure that the supervisor is always trustful and works consistently and treats everyone equally, this will create a better working environment for everyone in the organization (Pyykönen, 2017: 150).

As Kess and Ahlroth (2012: 14) point out, at times company supervisors and subordinates of management are not aware what are the duties and rights associated with their own work, which creates confusion for the other employees. Also, it is very common that supervisors may not have sufficient knowledge of the content and binding nature of the laws and regulations affecting the employment relationships. In fairness to the employees it is often equally unclear how the use of authority at work is different from inhuman treatment and bullying. What employees often fail to understand is that the supervisor has the management rights and in addition the obligation to lead work.

3.2 Identification

However, sometimes, even though organizations have tried to do everything in their power to prevent discrimination case, claims of discrimination still may occur. Once an employer, an employer's representative or an employment protection organization has been notified of discrimination claim, the organization must take immediate action to determine the circumstances of the case (Kess & Ahlroth 2012: 110).

According to Pyykönen (2017: 87) the employer always has the main responsibility and duty to start investigating the claim of discrimination. In discrimination situations when we talk about superiors we mean in this case, supervisors, different level managers and managing directors of the employer organization. How big a part the organization's human resources play in the process varies depending on the size of the company.

For an employee the first step after making a claim of discrimination to the employer is to ask for clarification. As a procedure it is important to discuss with the employer the reason for the discrimination claim, after the discussion it is important to ask for a written explanation addressing the situation. You may also talk with the organization's health and safety representative or the shop steward.

If an individual has made a claim of discrimination to the employment protection authority or the police, authorities will contact the employee's organization. Notifications that are made to the police are most often directed at the occupational safety and health authorities, which provide the police with a statement. If the situation includes violence, the police must intervene immediately (Pyykönen, 2017: 87).

In case, even after discussing the claim with an employee, there is still reason to suspect that there has been discrimination against the law or if it is not possible to receive an explanation from the employer, it is possible to contact the regional state administrative agency. It is always possible to contact the agency without revealing one's identity, in case this is something an employee is concerned about. It is important to remember to act quickly as the discrimination cases may become outdated. (Työsuojelu, 2018)

Once an individual has made the decision to report to the regional state administration for employment discrimination, it is important to be prepared to address the following issues:

- What employer's activity or negligence the individual considers as discrimination?
- What means of discrimination, does the individual considers to be discriminated against?
- Has the employer been aware of the grounds of discrimination that apply to you before making a decision on you?
- Why the individual considers that the employer has discriminated against on what basis?
- How has the employer justified what seems like discrimination to the individual? (Työsuojelu, 2018)

In case it is needed to raise a compensation claim against the organization is it recommendable to contact a lawyer or lawyer familiar with the trade union or labor law. It is always good to remember that the occupational safety and health authority is not responsible for driving or assisting in compensatory actions. It is possible to contact the office of equal opportunities officer; the equality ombudsperson may assist persons who have been subjected to discrimination when examining their complaints of discrimination. (Työsuojelu, 2018)

3.3 Resolution

At times there are still many situations in the workplace that do not meet the conditions of harassment, discrimination or unfair treatment. However sometimes there can be valid reasons to suspect that discrimination has happened. In these types of cases it is possible and sometimes needed to sue the employer, in case even after possible mediation if there is no resolution for that case.

In Finland discrimination for reasons other than sex is strictly prohibited with regards to working life both in the Employment Contracts Act and in the Equality Act. Once the law is broken, the plaintiff may request compensation for damages. In these types of cases while the employment relationship continues plaintiff must raise a case to the court within five years of breach of the prohibition of discrimination. If the employment relationship has already ended the case must be raised within two years of termination of employment. If there has been violation of the non-discrimination clause of the Non-Discrimination Act compensation may be claimed. In these types of cases the plaintiff must raise a case within two years of breach of the prohibition of discrimination or, if the proceedings are still ongoing, within two years of its expiry. In case discrimination has happened in recruitment situation the plaintiff must raise a case within one year of the date on which the not chosen jobseeker has been informed of the choice of decision (Tekniikan Akateemiset, 2016).

If the plaintiff takes the case to court just the mere argument of discrimination is not sufficient enough to condemn the employer for discrimination in court. In order to prove that discrimination has happened to the court of law, both parties, which in this case are the plaintiff also known as the victim of discrimination and the defendant accused of discrimination, must produce legal evidence that the alleged discrimination has happened (or not). This requires both parties to raise concrete facts that can provide sufficient basis for a legitimate case for or defense against the charge of discrimination (Työsuoja, 2018).

If an employer or his representative conducts some of the following while making a job announcement, when choosing a worker or during an employment relationship, without a strong, acceptable reason, this puts a job seeker or future employee at a disadvantage due to:

- 1) "race, national or ethnic origin, nationality, skin color, language, sex, age, family relationship, sexual orientation, maturity, disability or health or
- 2) on the basis of religion, social opinion, political or professional activity or any other comparable circumstance" (Rikoslaki 19.12.1889/39 47.3§.)

In such cases the employer shall be fined or imprisoned for up to six months. This is because the law for the prohibition of discrimination has been broken. In Finland work place discrimination is punishable by the Penal Code (Rikoslaki 19.12.1889/39 47.3§.)

If employer has been fined to pay compensation to the employee, the compensation must be paid regardless of whether or not discrimination caused financial damage to the employee. This is because the compensation is for the offence and hurt that was caused due to the discrimination. The reason for the level of compensation is that the fines need to be effective enough that those who have been discriminated against will appeal for recognition and enforcement of their rights and to warn against discrimination in advance to prevent future cases. When the court imposes the compensation, they have to take in to consideration the following criteria: the quality, extent and duration of discrimination (Tasa-arvoaltuutettu, 2018).

The compensation right for discrimination under the Equality Act is as follows: the compensation must be at least € 3,740 and at this time there is no maximum amount set for discrimination except if discrimination has happened in recruitment situations where the defendant can prove that she/he would not have been picked for the job even if the choice for the job would have been made on non-discriminatory grounds. In these cases, the maximum compensation for discrimination in recruitment situation based on Equality Act is € 16,430 (Laki naisten ja miesten välisestä tasa-arvosta 8.8.1986/609 11§).

4 Previous Law Cases about Women's Discrimination

4.1 Case against Tampere University

In October 2018 Pirkanmaa District Court ordered the University of Tampere to pay 60,000 euros of compensation and legal fees of 51,000 euros for discriminating against a woman on the basis of her gender. In August 2016, the University of Tampere chose out of two different applicants a male neurology professor by the principal's decision and a preparatory group's proposal. Both candidates were formally qualified and experienced neurology specialists in their own fields. However according to the court, the woman had a better qualification for the professor job (Yle, 2018).

For the purpose of filling the professor position the university preparatory group asked three experts to give statements regarding each applicant. Two of the experts placed the female in the first place and the man in the second place. One of the experts felt that neither of the two female candidates were qualified at all and chose the man as the first place (Helsingin Sanomat, 2018).

The District Court stated that the female candidate's teaching records were partially incorrectly recorded, which put her in a disadvantageous position compared to the man. Furthermore, the preparatory group also received dismissive contacts from the Tampere University hospital, which affected the preparatory groups' opinion. Some of the messages were influenced by the woman's earlier maternity leave and family status. The District Court also stated that the dismissive facts were related to how to balance family and work, therefore the court saw that in this case gender had impacted the assessment of her qualifications (Yle, 2018). The discriminated woman had also been working in the neurological department previously in a top university in the United States, and the court saw that this experience was not sufficiently considered when the decision was made (Helsingin Sanomat, 2018).

Tampere University denied the claims of discrimination and that the gender of the applicant affected the final decision.

4.2 Case against Vaasa Hospital District

According to Tehy (2015) in December 2015, the municipality of Vaasa district was ordered to pay compensation to three nurses due to unjustified fixed-term employment and discrimination on the grounds of pregnancy.

The article explains that the Vaasa hospital district concluded different lengths of fixed-term employment contracts with three of the nurses. These employment relationships were not continued after contracts ended due to the pregnancies of the nurses. The hospital district justified not continuing the employment relationships on the basis that the employees had no opportunity to come back to do another fixed term contract (Tehy, 2015).

However, the district court felt that the employer had a lasting need for workforce. Two of the nurses had over three years fixed-term employment contracts in chains and one of the nurses had one year and three months of chained fixed-terms contracts. These fixed-term employment contracts were justified to the employees as substitution. However the workers never knew who they were substituting for. The need for substitution had been permanent as the workers never applied for a new substitute's position, the head nurse always took care of the continuation of the employment relationship (Tehy, 2015).

In the end the district court found that as far as discrimination was concerned the actual reason for the ending of the fixed-term employment contracts was pregnancy. The Vaasa hospital district had consistently taken back former employees, after their maternity leave had ended. Some cases were found that the employee had been able to keep job keys and company email address even though there was no employment relationship at that time (Tehy, 2015).

Personal testimonies also proved that the department head nurses had aligned a practice, in which nurses' fixed-term employment relationships were not extended if a worker had become pregnant and was going to go on maternity leave. However, this practice was not in alignment with the hospital district management policy, which according to the district court showed great lack of internal management in the district (Tehy, 2015).

For these reasons the discrimination was considered blatant. The court ordered the hospital district to pay EUR 10,000 to each nurse under the Gender Equality Act, a total of almost EUR 52,000 for unjustified termination of employment, and legal costs of over EUR 45,000 (Tehy, 2015).

4.3 Case against SAK the Central Organization of Finnish Trade Unions

According to MTV (2004) in August 2004 the Helsinki Court of Appeal ordered SAK, the Central Organization of Finnish Trade Unions, to pay compensation to its female employee for wage discrimination. The court believed that a woman was discriminated against because of her gender.

The court stated in its decision that the employer had enough time to correct the salary conditions of the woman who was working at the time as a statistics secretary to match the Equality Act and the Employment Contracts Act. MTV reported that even after contacts were made, the employer made no effort to act and continued to pay a lower salary to the female secretary compared to man who did as demanding a job (MTV, 2004).

The job the secretary was doing included drawing up statistical surveys, finding income policy data and developing economic statistics. The employer was unable to prove that it had an acceptable reason for doing so, and for this reason the court saw that the employer had discriminated against a woman based on her gender. The woman and the man were performing the same or equal work which is required by the Equality Act (MTV, 2004).

The Ombudsman for Equality also considered the case as gender-based wage discrimination. Also, the Ombudsman for Equal Opportunities could justify that since 1994, the woman had done work of at least equal value to the man. The Ombudsman for Equal Opportunities made a statement to the employer in 2000, and the case was still not resolved. The secretary's salary had been raised somewhat but was still compared lower than the wage of the man doing the same work. Even in a job evaluation the woman secretary's work was seen equal to the job that was performed by a man with a better salary. Some of the woman's work was even more demanding than the man's (MTV, 2004).

The court stated that the woman had repeatedly tried to discuss with her employer to get her salary raised and corrected to match the Gender Equality Act. Still the employer representative felt that due to the development of the evaluation system and the equality dispute prevented the employee's salary to be reviewed (MTV, 2004).

In the end SAK was ordered to pay the woman compensation for a loss of earnings from 1994 to 2001 with interest for almost 25 000 euros. There was also compensation to be paid after that time. The employer was also ordered to pay 6000 euros for compensation under the Gender Equality Act, which the court felt was reasonable since the discrimination had been going on for a long time. The employer was also ordered to pay the woman legal fees of 12 000 euros (MTV, 2004).

5 Women's History in Working Life

According to Hentilä (Lipponen, 2006: 136) the history of Finnish working women started from agricultural work. Until the 1950s the Finnish economy was mainly dependent on farming related work, as close to the half of the population supported their families through land and the forestry industry. In the 1970s more and more people started to move from the countryside, women's education increased, and the business sector started to change, so fewer woman worked in farming anymore.

The possibilities for Finnish women to work in started in the 1860s, when Finland began to industrialize. For a long time, Finland came behind other counties when it came down to industrializing advancements, as unlike a lot of other countries Finnish men and woman started to be working outside of the home at the same time. Historically, women of all social backgrounds have always been working in some way in Finland for this reason stereotypical gender roles of working husband and housewife woman never really developed and this is the reason why still today both genders are responsible for supporting the family. This type of historical development with respect to Finnish women can clarify why in the modern world Finnish women have a very strong and equal role (Lipponen, 2006: 138-139).

Due to the industrialization there came a point in Finnish society where women were needed for the labor force. For this reason, some of the legislation had to be changed so that women could work and manage their own finances. In 1864 there was an amendment made to the law, which gave unmarried women aged 25 and over sovereignty and the right to fully support themselves and decide their own affairs. Unlike unmarried women, married women were legally under the care of their husbands until in 1929 when the law was changed. The law change was also in 1864 important for the rights of unmarried women. Because of this change unmarried women over the age of 15 years old could manage their own salaries and unmarried women over 21 years old could manage their own property. The law in 1868 also allowed unmarried women 25 years and older to start their own companies and engage in other work. Once full freedom of trade was forced in 1879, married women were also given these rights, but only if their husband or guardian gave them permission (Lipponen, 2006: 139-140).

After the amendment was made in 1864 many service sectors that were until that point male dominated started to hire women. It can be said that the reason for the development of industries and service sectors is due to cheap labor from women and children (Lipponen, 2006: 140). Due to this type of factors, many sectors that were mostly employed by women had a strong impact on the emergence of low pay sectors and why still today the clear majority are employing women.

Historically in Finland the wages that were paid to men and women were always different. Finland followed a long time the so-called family pay system, which meant that how much a man or a woman got paid depended on the status of the employee's own family. This meant that men that were married received over a quarter and married woman about 15% more salary than unmarried individuals. Also, the wages of married individuals were different based on the number of children or other family members the person had (Lipponen, 2006: 143).

Even though eventually women's opportunities for working got better and the wage differences between men and women got smaller, still today it seems that women are still seen as secondary employment options. It seems that in the end the country still has not completely changed. Today women still make less than men, women are still underrepresented in many leadership roles and generally less represented in the highest-paid jobs.

6 Research Methods

The aim of this research was to find out what types of experiences of discrimination women have experienced in Finland. The study was executed as a survey that was shared in some of the social media platforms as Facebook, LinkedIn and in emails. The survey was open for answers from 27.10.2018 to 31.10.2018. The research method for the study is quantitative and qualitative. A part of the researched was focused on the quantitative methods to try to find out some basic quantitative information from the women. Most of the research was qualitative. The study and the survey were divided in to four different parts. The first part of the researched focused on the basic information of the woman regarding to age, gender and education.

The second part focused on discrimination in the workplace. How many of the woman have faced discrimination in the workplace? What type of discrimination the women have faced? What do the women think is the reason for the discrimination in the workplace? Did the women inform their employers of the discrimination they had faced? If they did inform, how did their employer react? Or if they did not report the discrimination, why not? Has their employer done anything to prevent discrimination in the workplace? If they have, how have they prevented discrimination?

The third part was related to women's discrimination in recruitment situations. How many of the women have faced discrimination in recruitment situations? What type of situation has this discrimination happened in? What do the women think is the reason for the discrimination in the recruitment situation? Would the women have known who to contact regarding discrimination in recruitment?

The fourth part related to the knowledge of discrimination laws and how the possible experience of discrimination has affected the women. Were the women aware of the legislation on discrimination in Finland? Did the experiences of discrimination affect the women in any type of way? If the discrimination experience affected the women, how?

The main inspiration for the research was to try to find out the real experience women have faced in Finland. The research was based on women's own experiences and how they interpreted the discrimination situations. For this reason, the research does not specify if the experiences were legally classifiable as discrimination or not, since different

women feel and experience situations differently and the purpose of the study was not to justify the legal basis of their experiences. Women experience discrimination differently - what is discrimination to one woman does not mean the same thing to someone else. Therefore, it was more important to find out what are the types of situation women felt discriminated in, and how those situations made the women feel, even if all situations could not always be legally counted as discrimination.

7 The Results

The participation for the survey was completely voluntary, and the survey was answered by 56 women. To make sure only women answered the questions of the survey, the people who did answer the survey had to choose between two genders female and male. These results are based on the honesty and integrity of the people who were part of the survey. It was important that the survey was conducted as anonymous and in confidence so that no accurate personal data was collected and no one who answered the survey could be identified. To make sure answers were as diverse as possible, all women in living in Finland were qualified to answer to the survey. For this reason, it was important to try to get versatile range of responds from different types of woman with wide arrange of age and educational background.

7.1 Basic Information

To make sure only women answered the questions on the survey, it was important to find out the gender. When answering the first question it was needed to choose between two genders male or female. As figure 1 illustrates 100% of the people who answered the survey were women, as expected.

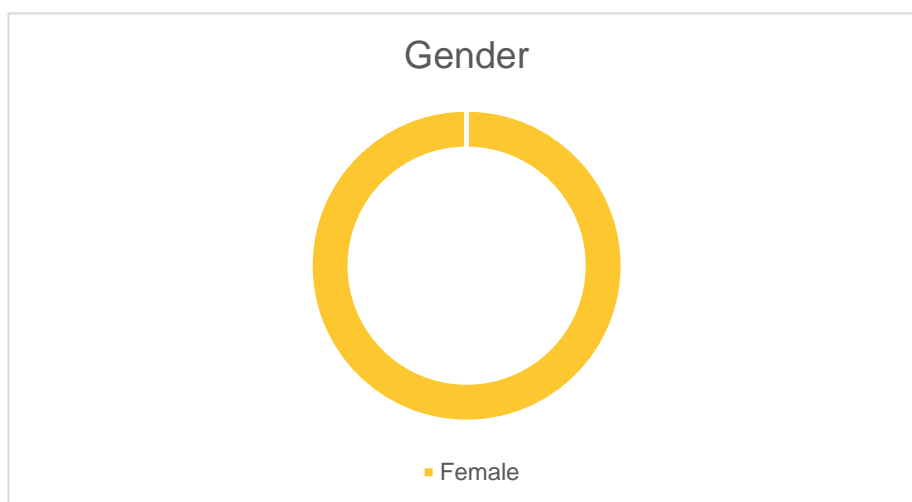


Figure 1. Genders that participated in the survey

The women who answered the survey had very broad educational background. As figure 2 illustrates the women were either primary school graduates (3,6 %), high school and vocational school graduates (39,3%), and university graduates (57,1%).

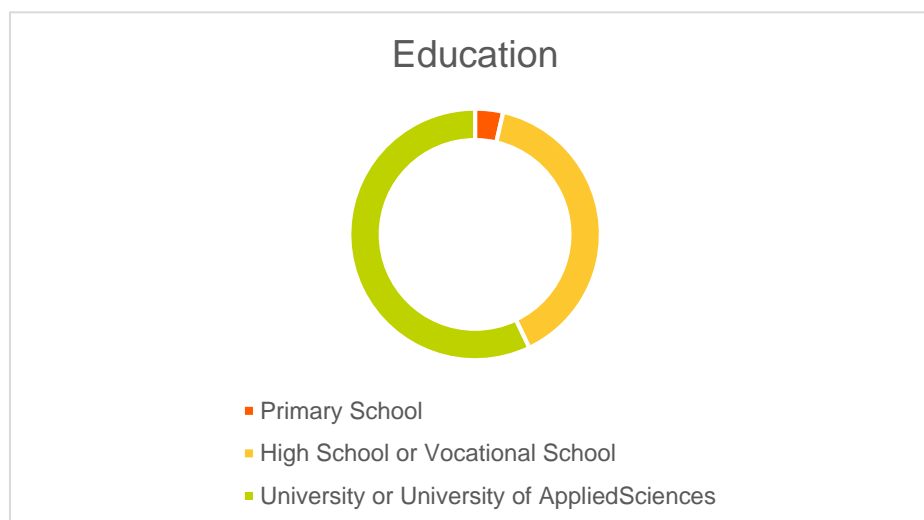


Figure 2. Educational background of the survey answerers

The survey was answered by a variety of different aged women. As figure 3 explains the four biggest age groups that answered the survey were women aged 18-25 (26,8%), 36-40 (17,9%), 31-35 (16,1%), 51-55 (16,1%) the survey also reached women from age groups 26-30 (8,9%), 41-45 (5,4%), 46-50 (5,4%) and 56-60 (3,6%).

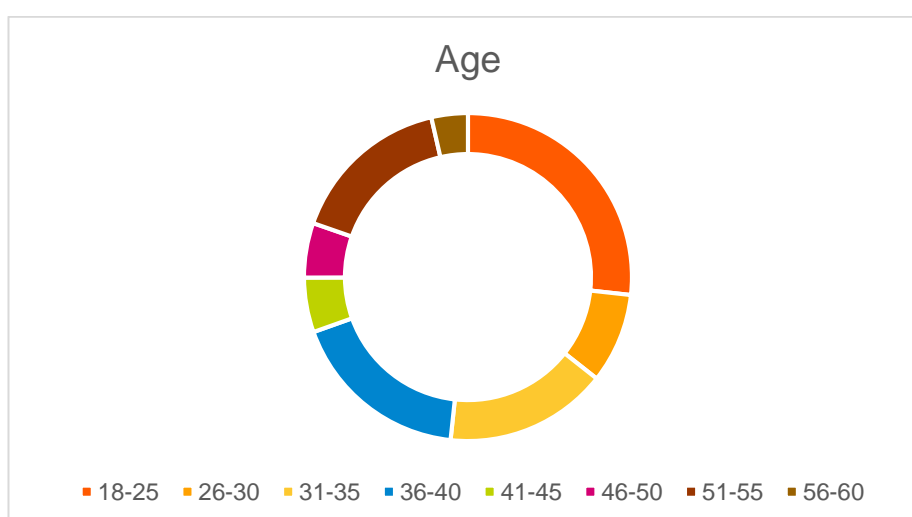


Figure 3. Age group of the women who answered the survey

7.2 Discrimination in the Workplace

The women were asked in the survey if they had experienced discrimination in the workplace. The results were almost equal, in the end the survey revealed that 55,4% of the woman had not experienced discrimination in the workplace, however 44,6% of the women had experienced discrimination in the workplace.

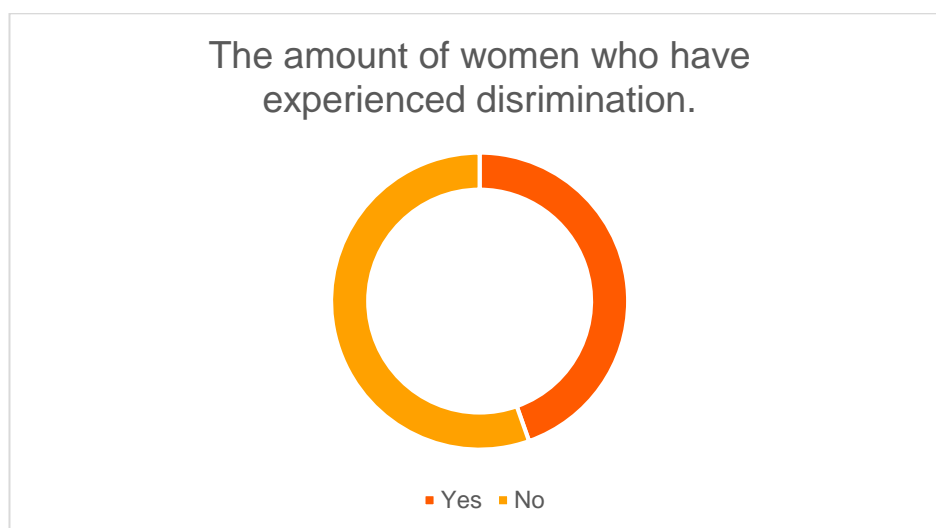


Figure 4. How many women have experienced discrimination in the workplace?

The survey asked through an open question what the women thought was the reason for the discrimination in the workplace. The survey revealed that the women had a variety of different reasons for what they thought was the reason for the discrimination. However, there came across a few regular themes in the answers. Several of the women responded that the reason they felt that they were discriminated against in the workplace was due to disagreements with their own superiors and how the superior acted towards them in the workplace. Also, in many of the answers the women were not happy with their superior's style of leadership or the lack there of.

"My superior is old-fashioned, moody and sensitive"

"My superior's way of leading is anything but good leadership. Cannot take into account the strengths of each employee, acts based on what is the easiest way for him"

The survey also highlighted cases of discrimination related to age. Some of the women felt that they had been discriminated against because of their young age, few women felt

that the combination of their age and external looks or managerial position were factors in the discrimination they felt. Based on the survey we could also gather that not all the women felt that discrimination was always the employer's fault.

"From the side I find that in many cases it is not discrimination, but the consequences of the employee's own behavior. Usually, those who cry out loud about discrimination, behave themselves inappropriately in the workplace, and claim for exclusions that the employer cannot afford in anybody's case. These people generally know their rights but forget their responsibilities to the organization, work community, and team"

The women were asked through an open question in the survey to describe the situation in the workplace where they had been discriminated against. The survey revealed that the women had faced variety of different situations where they felt discriminated against. The following themes could be seen in many of the answers that the women provided. Many of the women often felt undervalued, they were made to do easy jobs because other people felt that was the only thing they could do.

"Always set up to do the worst jobs, even though my position was equal to other employees."

"Underestimating, meaning you are but a woman or you are hired here to boil coffee and clean up. The more special and better tasks are only given to men"

Some of the women felt that they were not taken seriously in more challenging roles because they were women and that other people felt lack of expertise towards the women only because of their gender. The answers also showed that in many cases people had assumptions regarding what the women were able to understand.

"In a situation where the expert's opinion (including myself) was asked, high-ranking male colleague publicly stated in consultation with others that my opinion should not be considered because I cannot understand, since I am a woman"

"Some people do not seem to think that I'm an expert. Generally, a few people will not listen me or they prefer guidance from an older man who is a specialist in the same subject"

The survey also raised discrimination issues at the work place regarding to salary. Some of the women told that they were getting paid less than their male colleague for the same job. There was also issues regarding how women were treated at the workplace when they were pregnant, one women told that some of her colleagues wanted her out of a project because she was pregnant at the time.

The women were asked if they told their employer about the discrimination they had experienced. As Figure 5 illustrates more than half of the women (56%) answered that they had told their employer about the discrimination they had faced. Only (44%) of the women answered that they had not told their employer about the experiences of discrimination they had faced in the work place.

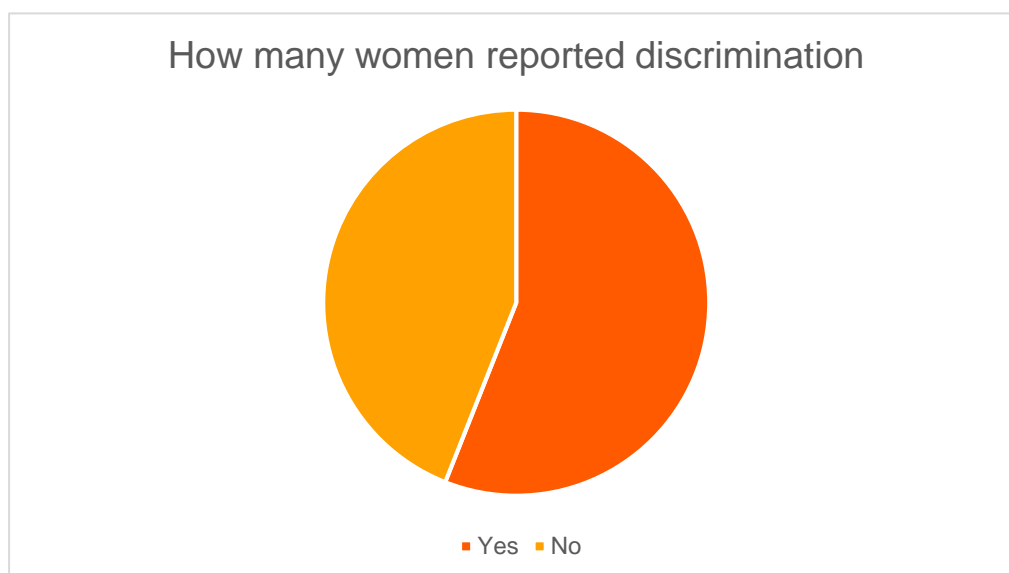


Figure 5. How many women reported discrimination to their employer?

The women were asked through an open question if they did not report the discrimination they had experienced at the work place, why not? The survey revealed that many of the women had similar types of reasoning why they did not want to report the discrimination to their employer. The majority of the women feared that they would be seen as difficult or that they would not be understood.

“I simply am ashamed, and I do not think that my older superior as a male would understand the same way as a female supervisor would”

"I do not want to be difficult"

The answers also showed that some of the women felt that their own superiors were the reason why they experienced discrimination and for that reason they did not feel that they could really tell about their experiences since the person they should have reported to was the problem. In some situations the respondents experienced that the company they worked for was too small and nothing could be done. There was also some women that felt that they did not know what to do or whom to report to.

The survey asked women If they did report the discrimination to their employer, and if they did how the employer reacted? Many of the women answered that their employer did not take their experience seriously or that they tried to make humor and jokes out of the situation.

"Boys are boys, it's just humor, this is how it's been always acknowledged"

"I reported it to the manager right away, but he always makes a joke of the situation"

Many of the woman expressed that they had talk to their employer and had talks with the people involving the discrimination incident, however they felt that the talking never resolved any issues. There were also women that contacted their occupational health psychologist, but never knew if they reported the discrimination any further.

The women were asked in the survey, had their employer made any initiatives to prevent discrimination in the workplace? As Figure 6 illustrates the survey revealed that only 39,3% of the employers had preventable methods in order to prevent discrimination from happening in the workplace. However, the survey also revealed the 60,7% of the employers had no methods at the time or the women did not know any methods at the workplace that tried to prevent discrimination from happening.

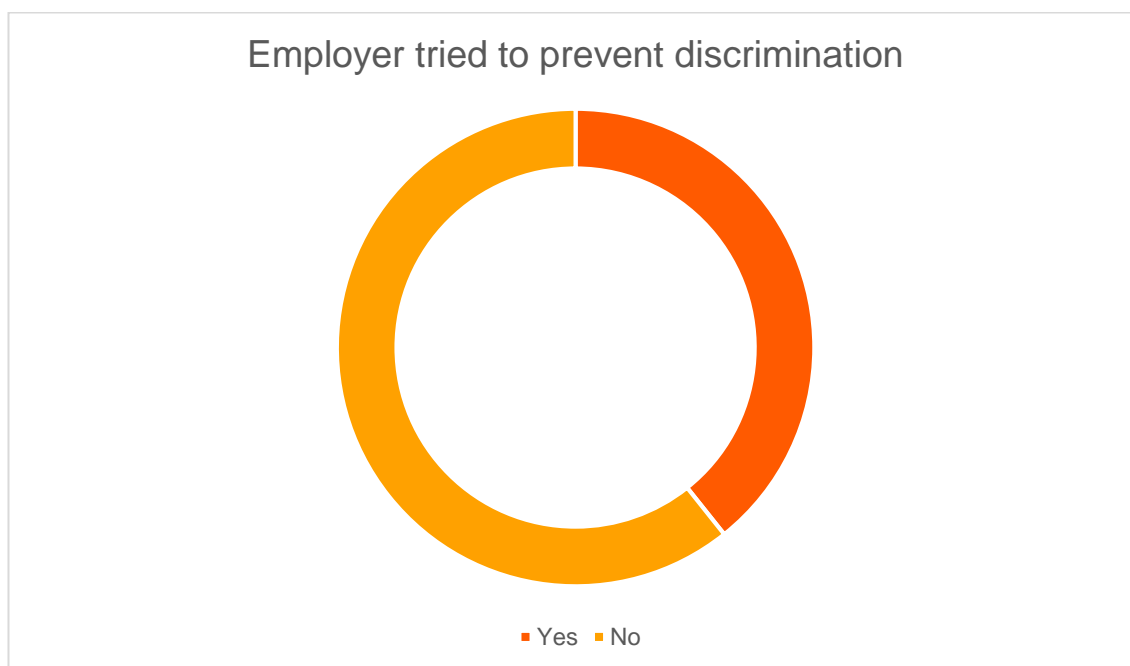


Figure 6. Has the employer made any initiatives to prevent discrimination in the workplace?

The survey asked the women how has their employer contributed to preventing discrimination in the workplace? The answers varied a lot. However there were similarities in the women's answers. Few of the woman answered that in the company they were working for they were encouraged to talk about the subject of discrimination. However many still felt that talking about the subject really made no difference. Some women also mentioned that the companies they worked for had discrimination surveys done and that there was the possibility to anonymously report any discrimination.

"The topic of discrimination is spoken regularly and it is emphasized that we should be doing things together"

"Made a survey of employment discrimination. In addition to this, we have a channel through which you can anonymously report"

Many of the women acknowledged that the companies they worked for tried to prevent discrimination with different types of posters, campaigns and surveys, but were never sure that these efforts made any difference.

7.3 Discrimination in Recruitment

The women were asked in the survey if they had experienced discrimination in recruitment? As Figure 7 illustrates the survey revealed that the majority, 79%, of the women had not experienced discrimination in the workplace, however 21% of the respondents had experienced discrimination in the workplace.



Figure 7. Has the women experienced discrimination in recruitment?

The survey asked the women in open questions if they had experienced any discrimination in recruitment, and to describe these situations with a few sentences. Most of the women who had experienced discrimination revealed that the situations were generally about women's current family situation and future family planning.

"The interview went well until it became clear that I am engaged to be married and bought a house. There were no children. After that, the whole appearance of the interviewer changed, and I did not hear from them anymore"

"Questioning, if I was planning on starting a family and my ability to work, because I am a woman"

Some of the other situations that also came up in the answers were discrimination against the women's age. One woman was surprised that there was ageism, even from the employment authorities who should try to help finding a job. Few women also had

situations where they suspected that they were not picked due to their extensive experience for a job that was less demanding.

The survey asked the women in an open question what they thought was the reason for the discrimination in the recruitment. Some of the women felt that employers today are still very ignorant over what is considered discrimination and that there is still very strong stereotypes over what women want to do with their lives and what they are able to do.

“Young woman without a child, who has her financial affairs well. They think that when I switch from a permanent job to the next, I leave immediately on maternity leave”.

Many of the women felt that their gender was the reason they were being discriminated against, also some of the women mentioned that their age, appearance and size played a factor why they thought was the reason why they had been discriminated in recruitment.

The survey asked the women if they had known who to contact regarding discrimination in recruitment. As Figure 8 illustrates the majority of the women, 66 %, did not have the knowledge where to report the discrimination they had experienced in recruitment. Only 34 % of the women knew where to report discrimination if they had experienced it in recruitment situations.

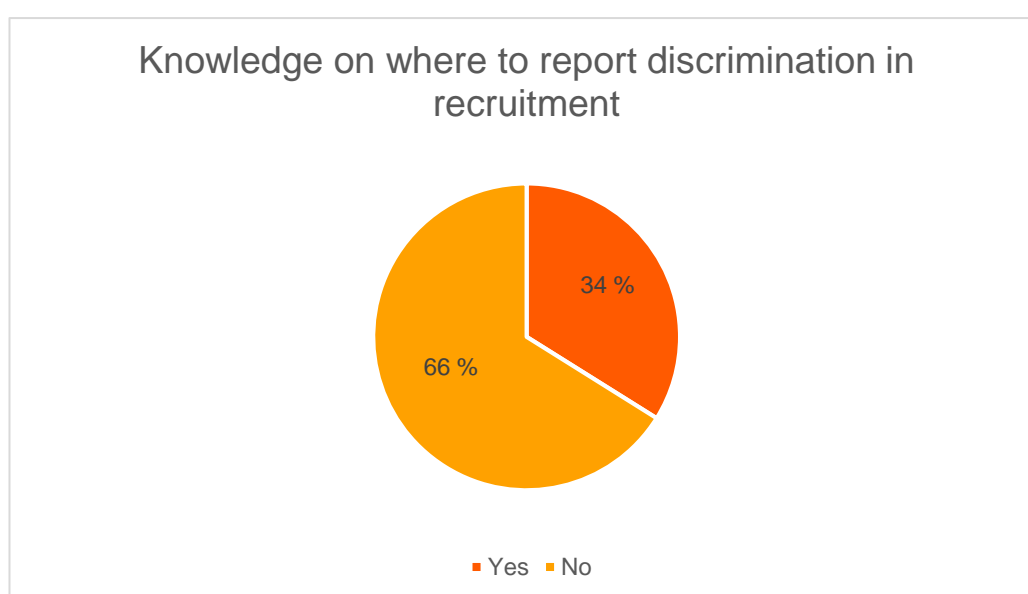


Figure 8. How many women knew where to report discrimination in recruitment?

7.4 Legislation and the Impact of the Experiences

The survey asked the women were they aware of the legislation on discrimination in Finland. As Figure 9 illustrates 63% of the respondents were aware of the Finnish legislation on discrimination; however 37 % of the women were not aware at all of the legislation on discrimination.

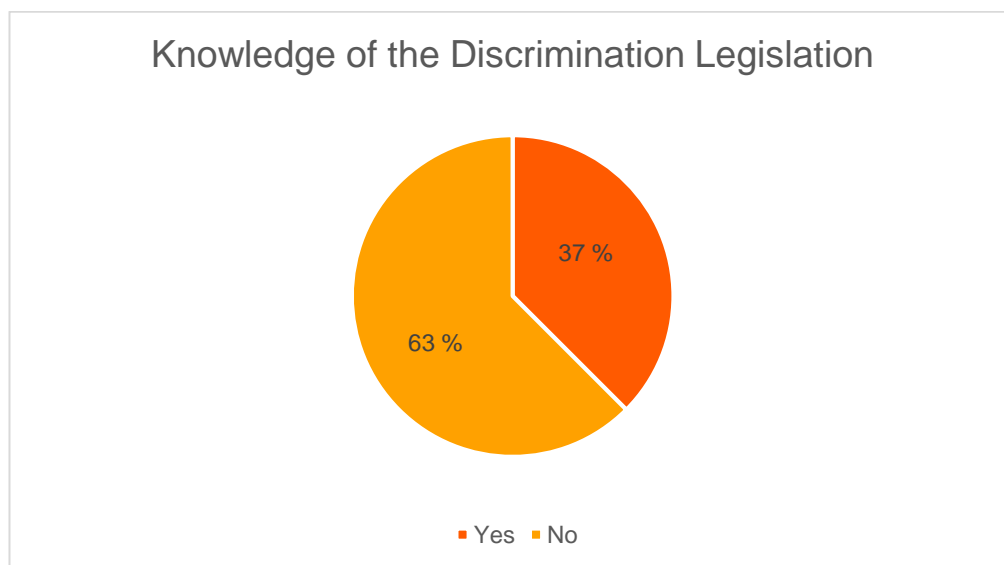


Figure 9. Where the women aware of the legislation on discrimination?

The survey asked the women if the experience of discrimination affect them in any way. As Figure 10 illustrates 68% of the respondents experienced that the discrimination had affected them in some way. However, 32% of the women experienced that the discrimination they experienced made no impact on them.

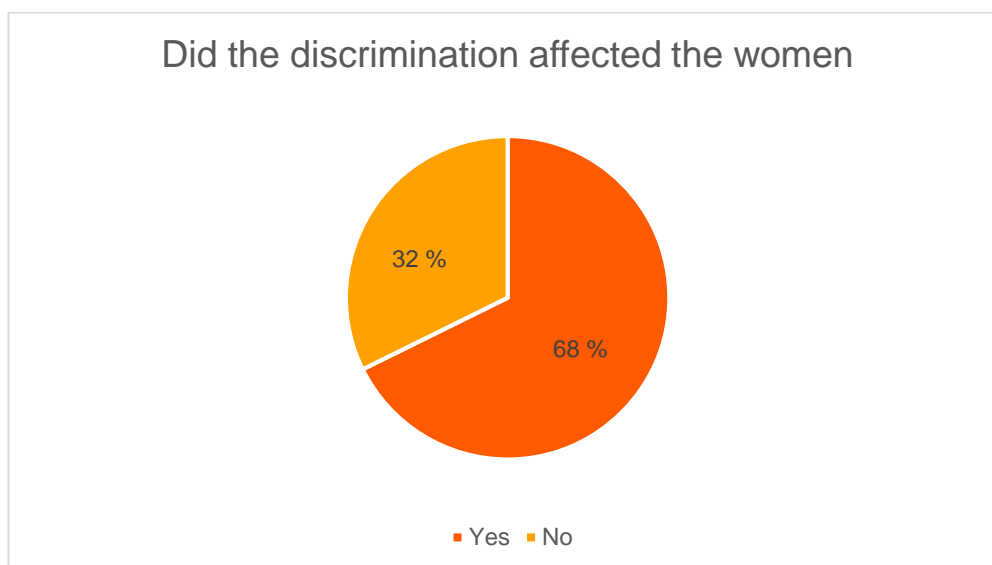


Figure 10. Did the experience of the discrimination affect the women?

The survey asked the women in an open question if the discrimination experience had affected them and if it did how? Many of the women had similar answers some of the themes that appeared frequently were about how the experiences of discrimination had affected the confidence of the women. Many of the women felt now skeptical, suspicious, and uncertain of applying to new jobs regarding discrimination in recruitment.

“It made me sad to think that I still have to prove older men in the 21st century that not all young women are interested in reproduction. If maternity and paternity leave were on the same level, the whole conversation should not ever needed to happen or to feel that you were not chosen for the job because of this, or to feel that older or women already with kids were preferred only for this matter”.

“I learned in interview situation to identify those questions, which you already knew that you have no opportunity for that job”

For the women that experienced discrimination at the workplace, the experiences for obvious reasons made it difficult to continue working. Few of them found it hard to go to work anymore because they felt they were not part of the group or that their expertise was not appreciated. One woman felt that the experience made her isolated from her co-

workers and it gave her anxiety, depression, sleeping problems. For some these experiences lowered their work motivation and gave them even more of a desire to change jobs.

8 Conclusion

In conclusion, discrimination against women especially in recruitment is still a major problem, even today. Before this research was made I was not sure of how big a problem discrimination in the workplace is. However based on the results of the research it was surprising that almost half of the women had experienced discrimination in the workplace, but only less than third of the women had experienced discrimination in recruitment situations. Some of the experiences where the women felt discriminated were in my opinion expected, however it does not make those experiences right. Still it was possible to find women's experiences of discrimination that even I was surprised about. It seems odd that, for example a woman is not chosen for a job due to having too much working experience, but this situation of course applies to men also.

The results of the survey show that discrimination is still something that many women face during their working careers and it is good to keep in mind that discrimination happens to women of all ages who have a variety of different educational backgrounds and are working or applying to organizations that are very big or small. The reason many women felt that they were discriminated against in the workplace was due to how their own superiors acted towards them or because of the attitudes of other colleagues. We can also see from the result that women are still under appreciated, not taken seriously and the positions they hold are often belittled due to gender. Organizations still must improve to make sure all employees feel that they can report discrimination in the workplace. The results also tell that in recruitment situations some women still experience discrimination due to their gender, especially when it comes to possible family planning. One of the more positive results of the research was that most of the women know about the legislation regarding discrimination. Based on the results of the survey we can determine that the employers today still have work to do, to make sure women are treated equally and respectfully.

However, after doing the research on discrimination and the legislation regarding it in Finland. In my opinion we can see that in many of the cases discrimination in legal terms, has not happened. Still, this does not take away the fact that in many cases women have experienced these situations as discrimination. The results also show in my opinion, that the problem is not that there is not enough legislation on discrimination, the real problem comes from people's attitudes. Even though the country has come so far from the days

where it originally began regarding women's work history in Finland we still see in many of the cases that women are still today seen as a secondary option. Until these attitudes are changed, which more likely comes with time, many women will feel that they are discriminated against even if this was not always the case according to legal standards.

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