



UMEÅ UNIVERSITET

PROCEDURES FOR PROACTIVE ACCOMMODATIONS AND WORK-RELATED REHABILITATION

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¹ This document has been translated from Swedish into English. If the English version differs from the original, the Swedish version takes precedence.



UMEA UNIVERSITET

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2. Description

These procedures are intended to clarify the proactive accommodations and work-related rehabilitation process and help prevent poor health and sick leave among staff. Staff refers to anyone who has employment at Umeå University. These procedures are also intended to contribute to a good human resources policy and a sustainable working life.

The “Procedures for proactive accommodations and work-related rehabilitation” provides guidance for managers² and other supervisory staff responsible for proactive accommodations and rehabilitation and for HR in their work with work-related rehabilitation as per applicable laws, provisions and collective agreements.

2.1 Working proactively and identifying early signs

Working with proactive accommodations is an important part of systematic work environment management. This involves creating a workplace where staff thrive, are healthy and can develop, and where no one becomes sick or is injured by their work. The earlier a manager recognises and acts on early signs of ill health or problems among their staff, the greater the opportunities for ensuring a positive outcome and avoiding ill health or conflicts and ultimately sickness absence. Investing in proactive accommodations also keeps down the cost of sick leave for the organisation.

Proactive measures are about recognising risks in the workplace and, as far as the work allows, making accommodations for the staff member before it leads to ill health or accidents. The purpose is to prevent ill health and work accidents and to improve factors for good health to create a healthy work environment. In the HR Guide on the intranet, managers can find more about how to make proactive accommodations as part of systematic work environment management and act on early signals.

3. Background

For Umeå University, equal access to a good physical, psychological, organisational and social working environment is crucial. Focusing on the health of staff enables a sustainable working life.

The employer is responsible for proactive accommodations and work-related rehabilitation, which may take place within or in connection with the employer’s activities. The aim is to prevent ill health and sick leave among staff. During rehabilitation, the aim is to enable the staff member to return to regular work as soon as possible. At Umeå University, the manager is responsible for proactive accommodations and work-related rehabilitation in the department or unit. Managers have access to professional support from HR and the occupational health service. The manager should also seek support from others when needed, such as the director of studies or the relevant supervisor.

If, for any reason, the manager should not or cannot participate, the deputy/acting manager

² Manager refers to the dean, head of department, director, head of office, head of section, head of unit, administrative manager, head of faculty office and those to whom the manager has delegated working environment responsibility.

or the immediate manager should serve as the employer representative responsible for the proactive accommodations and rehabilitation.

The legal frameworks on which these procedures are based are the Work Environment Act (1997:1160), the Social Insurance Code (2010:110), the Employment Protection Act (1982:80), the Sick Pay Act (1991:1047) and the Public Access to Information and Secrecy Act (2009:400). The procedure is also based on the Swedish Work Environment Authority's provisions and general advice "Planning and organisation of work environment management – basic obligations for those with employer responsibility" (AFS 2023:2) and "Systematic work environment management – basic obligations for those with employer responsibility" (AFS 2023:1) along with the General Agreement on Salaries and Benefits (AVA/AVA-T) and Umeå University's rules and policies.

4. Secrecy and privacy

Processing of information relating to staff health must respect the privacy of the individual. Secrecy applies for all proactive accommodations and rehabilitation and is regulated by the Public Access to Information and Secrecy Act.

It is not always easy to determine which form of secrecy applies in different situations involving ill health. However, the basic rule is that the manager only discusses the staff member's rehabilitation with those directly involved, such as HR, the director of studies, the supervisor, the occupational health service and the union representative.

The manager must always come to an agreement with the staff member about what information may be communicated to relevant colleagues, for example. If the manager needs to discuss a specific rehabilitation case with the Social Insurance Agency, the consent of the staff member is required. In these cases, the staff member contacts their administrative officer at the Social Insurance Agency.

5. System support and documentation

The Adato system provides everyone working with proactive accommodations and rehabilitation a good overview and facilitates follow-up of rehabilitation efforts at Umeå University. Adato is used both in proactive accommodations (prehab) and in rehabilitation. The system is integrated with Primula and automatically monitors sickness absence and repeated short-term absences for all staff. As a manager, you receive information by email.

All documentation in the case, such as meetings, rehabilitation plans, measures and accommodations, must be documented in Adato. This is to ensure that secrecy and personal data are handled correctly and that all documentation is gathered in one place. Staff have the right to receive all documentation from Adato, so it is important that the documentation is factual and non-judgemental.

If information or documentation needs to be sent between participants in a proactive accommodation or work-related rehabilitation process, Umeå University's guidelines on IT security must be followed.

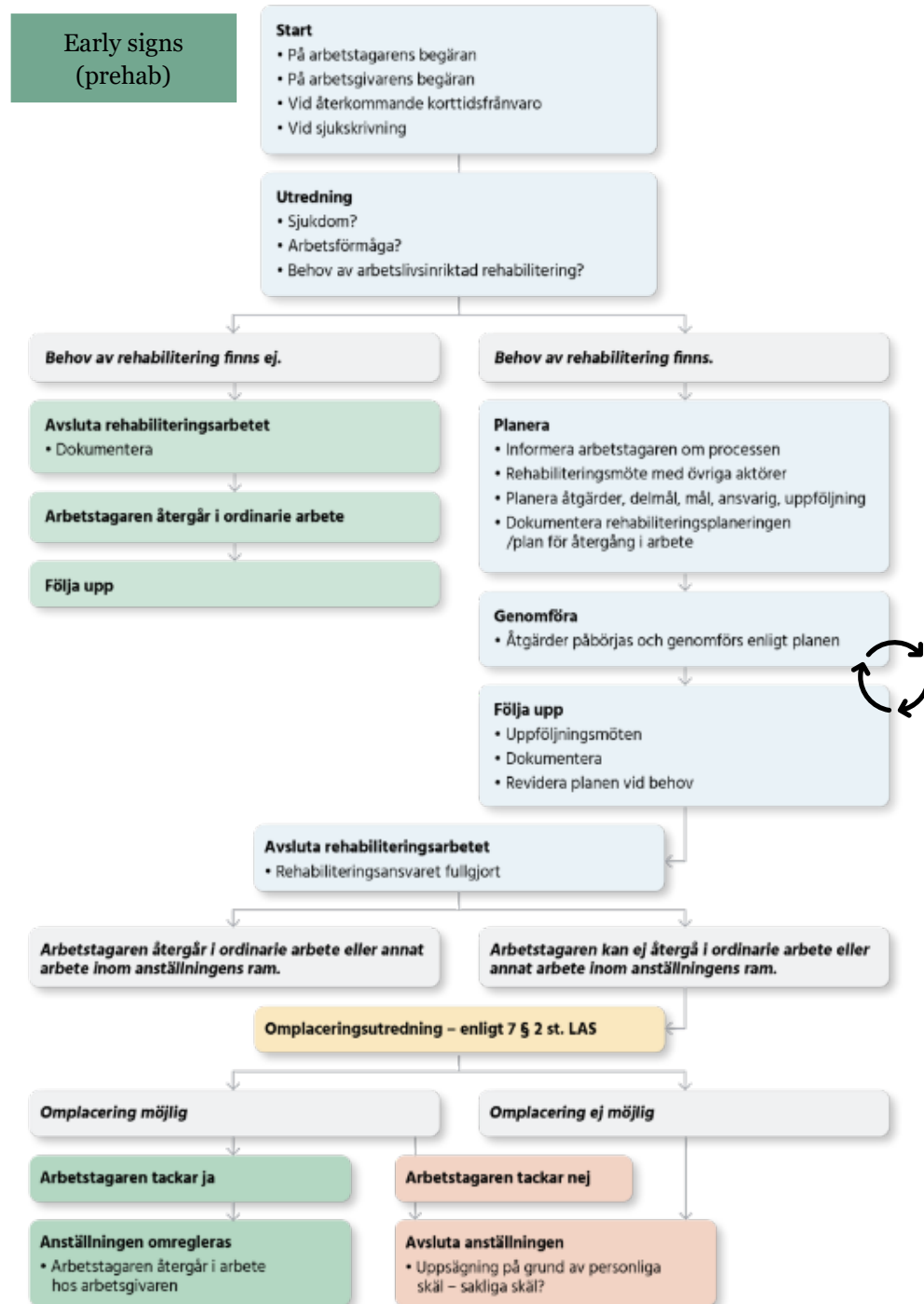
6. Workplace dialogue guidance

Arbetsplatsdialogen (translation: Workplace Dialogue)³ for employers is an evidence-based and structured guide for managers who want a better dialogue with their staff and is a tool for implementing concrete accommodations for work in case of illness or reduced work capacity. This aid does not replace systematic work environment management (SAM). However, it can be used as part of SAM, as it facilitates proactive accommodations and structured work against ill health. The guide helps to identify early signs, when holding meetings to discuss issues, adapt work to accommodate individuals, and follow up. It also ensures that we, as employers, largely fulfil the requirements of applicable regulations. A strongly supported guide that is known to all staff ensures the best potential for a successful process. The Workplace Dialog guide can be found in the HR Guide on the intranet.

³ The Workplace Dialogue guide is based on the basic AD-A model

7. Process description

The picture below shows the different steps of a proactive accommodations or rehabilitation process.⁴



⁴ Source: Swedish Agency for Government Employers

7.1 Start

There can be several reasons for starting an accommodation or work-related rehabilitation process, such as:

- **At the staff member's request.** When the staff member feels that there is a need for proactive accommodations or work-related rehabilitation measures, the manager should initiate a dialogue about the reason and what measures could be relevant.
- **At the request of the employer.** When the manager assesses that there may be a need for proactive accommodations or work-related rehabilitation measures, such as repeated short-term absences or early signs of ill-health affecting the staff member's ability to work, the manager should initiate a dialogue with the staff member. This is to avoid ill health and possible sick leave.
- **In cases of sick leave.** In the event of sick leave or repeated short-term absences, managers need to initiate a dialogue and investigate whether sickness or ill-health is impairing the ability to work and whether there is a need for work-related rehabilitation measures to facilitate the staff member's return to work.

7.1.1 Report sick leave

Sickness absence is to be reported as soon as possible to the department/unit. Procedures on who the staff member should notify are drawn up by each department/unit. All staff are to be informed of the procedures.

Staff are also to report sick leave in the PASS self-service system.

7.2 Early contact

The manager contacts the staff member in an appropriate way, preferably on the day the sick leave notification is received or as soon as possible. The purpose of the contact is to monitor the health status at an early stage and to ensure that the staff member feels wanted and needed in the workplace. The contact is recorded in Adato under "prehab".

In the event of continued sickness, the staff member is to present a medical certificate from day eight. This is to be uploaded to PASS as soon as possible. It is important that managers stay in touch with the staff member and document their sickness absence to monitor the progress of their health. The manager and staff member mutually agree on how contact is maintained throughout the process.

7.3 Assessment

The manager receives an email from Adato on day 15 of sick leave reminding them that it is time to start a rehabilitation assessment. The manager contacts the person on sick leave to determine whether their health condition is impairing their ability to work and whether there is a need for work-related rehabilitation measures to facilitate the staff member's return to work. An assessment means that the manager, preferably with the support of HR, assesses work capacity by speaking with the staff member.

If the discussion leads the manager and staff member to the conclusion that:

- There is no need for action and the staff member can return to regular work without special accommodations. This is documented in Adato under “Notes”. Once the staff member is back at work, the manager is to follow up on their health status. The follow-up is to be documented, and the case closed in Adato.
- Work-related rehabilitation is not currently on the agenda but may be in the future. The manager and staff member book a new date to meet to discuss the status of the staff member’s health. This should be documented in Adato as a “Note”. Indicate in the note why work-related rehabilitation is not relevant and the date of the next status meeting.
- There is a need for work-related rehabilitation to enable the staff member to return to regular work. The manager is responsible for scheduling the staff member for an initial rehabilitation meeting as soon as possible. See Section 7.4 for more information.

7.4 Plan

If, after the initial assessment, it turns out that the staff member needs work-related rehabilitation measures, these need to be planned together with the staff member. These measures are planned at a rehabilitation meeting called by the manager.

In addition to the staff member, manager and HR, participants in the meeting may include the occupational health service, a doctor or other individuals with medical expertise. If the staff member wishes, a union representative, a work environment representative or someone they trust can also attend.

Before the rehabilitation meeting, the manager is to inform the staff member about the following:

- the purpose and goal of the meeting
- who is invited to the meeting
- that the staff member can bring a union representative, a work environment representative or another person they trust to the meeting
- all meetings/discussions or other matters relevant to rehabilitation are documented in Adato and that the staff member has the right to access all documentation.

If the question guide in the Workplace Dialogue guide is used, written information about the guide and the questions should be sent to the staff member well in advance of the meeting, so that the staff member can prepare. The Workplace Dialogue guide is available in the HR Guide on the intranet.

Managers should prepare for the meeting by producing relevant supporting documents. This may include information on previous sick leave and other absences, medical certificates or other information affecting the work situation. When the Workplace Dialogue is used, the manager should also go through and answer all or part of the question guide.

During the rehabilitation meeting, the manager, together with the staff member and the other participants, reviews the documents and the current work situation to create a shared picture of the situation. The meeting is intended to establish how the ill health or sickness affects the ability of the individual to perform regular work tasks and whether there are other social or organisational factors that impact their return to work.

The discussion forms the basis for the choice of measures to facilitate return to work. The discussion is important, but the manager is responsible for and decides on the accommodations that can be made in or associated to the workplace. The discussion and accommodations are to be documented in a rehabilitation plan that is stored in Adato. The plan supports work-related rehabilitation at the workplace with the aim of enabling and facilitating the staff member's return to work. It is important to draw up the plan so that it really supports efforts to provide accommodations and rehabilitation at the workplace and that it is easy to follow up. Templates for the accommodations and rehabilitation plan are available in the HR Guide on the intranet.

The rehabilitation plan is to be sent to the Social Insurance Agency on request.

On day 30 of sick leave, Adato sends out a reminder that a rehabilitation plan must be completed. This message is sent out as a general reminder.

7.5 Implement and follow up

Examples of work-related rehabilitation measures are:

- temporary accommodations
- temporary testing of work capacity in a new assignment within Umeå University⁵; and
- skills development or training.

The manager organises regular follow-up meetings with the staff member and other participants involved. At these meetings, the rehabilitation plan is followed up to ensure that planned measures are implemented and adjusted if necessary. To assess whether the measures have facilitated the staff member's return to work, they need to be tested.

The employer's obligation to accommodate a staff member is extensive. In the case of significant accommodations or accommodations that continue for a long period, a risk assessment should be carried out. The risk assessment template is available in the HR Guide on the intranet.

However, the employer does not have to provide accommodations if they:

- negatively impact the work environment or cause risk of harm to other staff members
- expansion of or significant organisational difficulties for the business⁶
- create managerial duties for someone who is not in a supervisory position
- are measures that are not financially justifiable
- are not expected to be effective or lead to a return to work with the employer.

If there is any uncertainty, the manager needs to test the accommodation as we need evidence of whether the accommodation is having the desired effect. If an accommodation is not assessed as reasonable, the manager must explain why.

⁵ Temporary assessment of work capacity in a new assignment within Umeå University means that the staff member temporarily tries out other tasks to assess work capacity. The temporary testing of work capacity is to have a clear purpose and objective and there is to be a written agreement on this. For more information, see the HR Guide on the intranet.

⁶ Here, increase means that, as the employer, we do not have to create a new, permanent position

7.5.1 Temporary accommodations

Managers can use a temporary accommodation to make it easier for staff to remain in their job during a period of sick leave or to return to work after a period of sick leave.

For example, the accommodation could involve:

- changes in working hours
- accommodations to assignments
- reallocation of regular assignments (some assignments are replaced by more appropriate or easier assignments)
- changes in working methods
- use of work aids
- the option of working from home or working from the workplace.

Other examples of accommodations focusing on work balance, cognitive ergonomics and workload ergonomics can be found in the Workplace Dialogue guide.

It is important to set an end date for all agreed accommodations. Follow-up meetings should occur at regular intervals to evaluate the accommodations. New accommodations may be needed depending on the success of previous interventions.

7.5.2 On-the-job training or temporary job training

An example of a work-related rehabilitation measure can be on-the-job training supported by the Swedish Social Insurance Agency⁷. On-the-job training means that the staff member trains on certain tasks. There should be no performance requirements, and the employee should, for example, be able to take short breaks from work as needed. The purpose of on-the-job training is to speed up recovery and return to regular work or to assess work capacity if the medical evidence is insufficient. On-the-job training can take place in the staff member's workplace, in another department, office or equivalent or with another employer.

Before the manager agrees with the staff member to on-the-job training, the Social Insurance Agency must be consulted. The Social Insurance Agency can grant rehabilitation benefits for work training.

It may also be appropriate to allow the staff member to test other assignments within or outside the framework of their existing employment, in their own workplace or in another department/unit within the public authority, for a limited period (e.g. three to six months). In these cases, there should be a written agreement⁸ describing the purpose and objectives. Follow-up meetings should take place at regular intervals to evaluate the work trial and should be documented in Adato. If there are concerns about a possible temporary work trial in another department, office or equivalent, the Human Resources Office should be contacted for guidance and support.

⁷ The Social Insurance Agency coordinates initiatives together with the Public Employment Service.

⁸ The agreement is between the original and the receiving department/unit.

7.5.3 Training and other professional development

Another example of a work-related rehabilitation measure is professional development or training⁹.

In some cases, the Swedish Social Insurance Agency can grant rehabilitation benefits for a short training programme of up to one year.

7.6 Work ability assessment

If there is uncertainty about which work-related accommodations are appropriate or if work capacity cannot be assessed, it may be relevant to carry out a work capacity assessment with the assistance of the occupational health service¹⁰. Contact the Human Resources Office for guidance and support. If it is decided to conduct a work capacity assessment, the manager contacts the occupational health service.

A work capacity assessment includes a review of work capacity based on the individual's regular work. The outcome of the assessment results in a written report. After the assessment, the occupational health service will call a meeting with the staff member, the manager and any others involved in the case.

7.7 Concluding the rehabilitation process

The rehabilitation process is to be concluded in a clear and formal way by the manager inviting the staff member, HR and any support person for the staff member to a meeting where it is made clear that the rehabilitation process is concluded. At the meeting, the manager and staff member summarise the rehabilitation process, what measures have been implemented, what effect these have had and whether the goal has been achieved. The starting point for the overview is the rehabilitation plan. It is important that all the involved parties have, as far as possible, a common understanding of what the assessment shows and what applies for the future. The meeting should be documented in Adato. The rehabilitation case is then closed in Adato.

Different scenarios at the end of the rehabilitation process are described below.

7.7.1 Returns fully to regular work

In most cases, rehabilitation ends with the staff member being able to return fully to their regular work. However, managers should follow up to make sure that the return is proceeding as planned and recognise and act on early signs if this is not the case.

7.7.2 Return to regular work with some accommodations

In some cases, the staff member can return to regular work, but with some more long term accommodations. For example, this can involve adjustment of when working hours occur or

⁹ For teaching staff, professional development is included in working hours, and it is up to the manager and staff member to agree on how the time is spent. Professional development is not regulated for technical or administrative staff, but even here it is important the manager and staff member have a good dialogue. Through the Local Development Fund, funds can be applied for to cover the cost of rehabilitation measures that are outside the manager's regular work environment responsibilities.

¹⁰ In the event of long-term sickness absence, the Swedish Social Insurance Agency can initiate its own work capacity assessment, which takes place without the employer's participation.

access to certain types of aids. The accommodation is to be followed up and revised as necessary. More long term accommodations must not adversely affect the work environment of the rest of the organisation.

7.7.3 The staff member does not participate in their rehabilitation

If the staff member, without acceptable reasons, does not participate in their rehabilitation or ends it prematurely and thus makes it difficult for the manager to test and assess various measures, the manager's and thus the employer's rehabilitation responsibility can be considered to be fulfilled. In these cases, it is important to clarify to the staff member at a meeting what the consequences of such behaviour might be, and to document this. The ultimate consequence is that the staff member risks losing the enhanced employment protection that applies in the event of sickness and that any missed work thereafter is dealt with without regard to sickness. In these cases, the Human Resources Office is contacted for guidance and support.

7.7.4 Permanent impairment but performs significant work

Even in cases where it is clear that the staff member has a permanent impairment in working capacity to some extent but is still able to perform work of importance for Umeå University, the rehabilitation responsibility may be fulfilled. In these cases, the Human Resources Office is contacted for guidance and support.

7.7.5 Permanent impairment and does not perform significant work

The rehabilitation responsibility is considered to be fulfilled if the staff member has a permanent impairment in working capacity in regular work or in work within the framework of the work obligation and the reduction is so significant that the staff member can no longer perform work of significance within Umeå University. In these cases, it must be clear from the medical documentation and other investigations in the case, such as a work capacity assessment or an evaluation of various accommodations that have been tried, that all possibilities for returning to regular work or work within the framework of the work obligation, with or without accommodations, have been exhausted. In these cases, the Human Resources Office is contacted for guidance and support.

7.7.6 Reassignment to another job within the University

When rehabilitation has been completed and a return to regular work or work within the framework of the work obligation is not possible, the employer has an obligation to investigate reassignment to other available work as per Section 7, Paragraph 2 of the Employment Protection Act (LAS).

The manager contacts HR in the faculty office/equivalent to assess possible reassignment options within the faculty/equivalent. The documentation provided to HR should include the actions taken and other factors that led to the decision that the staff member cannot continue working in the department/unit. It should also indicate the position held by the employee, their main duties and their competences and qualifications (CV).

The assessment is to consider vacant and suitable jobs within the faculty¹¹. If there are no jobs available in the faculty, the documentation is forwarded to the Human Resources Office, which will conduct and be responsible for a reassignment investigation based on available and suitable jobs throughout the public authority. Fixed-term position may also be considered to fulfil the reassignment obligation.

While the assessment and investigation of other jobs is ongoing, the department/unit remains responsible for the staff member. This responsibility remains until another permanent placement is decided. Reassignment outside the individual employment contract requires co-determination (MBL) negotiations with the union.

If there is another job within Umeå University for which the staff member has sufficient qualifications and can do, with or without accommodations, the Human Resources Office will draw up a reassignment decision.

If reassignment is not possible or if the staff member refuses the offered reassignment, notice of termination for personal reasons will be given. The Human Resources Office is responsible for this process.

7.7.7 Ending employment

Generally, sickness and the resulting reduced capacity to work are not in themselves objective reasons for dismissal.

For a dismissal to be based on objective reasons, the employer must have fulfilled its rehabilitation responsibilities. Furthermore, the employer must have made the assessment that the staff member cannot perform any work of significance within the scope of the work obligation, with or without work accommodations, because of their sickness.

The impairment of working capacity must be assessed as permanent and reassignment to other work within the public authority is not possible. As the burden of proof lies with the employer, it is important that all measures proposed and implemented are documented. This also applies to how the rehabilitation process has progressed in general, for example what has been said and planned at meetings, what the responsibilities of the different stakeholders involved have been, and whether the staff member has participated in their rehabilitation.

If the employer has fulfilled its rehabilitation responsibilities, which means that the rehabilitation has been completed, is well documented and formally finalised, and that reassignment options have been exhausted, the next step is to dismiss the person for personal reasons. Dismissal for personal reasons requires consultation with the Human Resources Office as the matter is handled according to special provisions.

8. Responsibilities and roles

In these procedures, the term *manager* has been used throughout the text to refer to supervisory staff responsible for proactive accommodations and rehabilitation. Below is a more detailed description of responsibilities based on the roles we have in the line organisation.

¹¹ The assessment should happen quickly, taking at most one week

The Vice-Chancellor has overall responsibility for ensuring that the work environment at Umeå University adheres to the Work Environment Act, other statutory requirements relevant to the work environment, and provisions issued under the act and that systematic work environment management at Umeå University is planned, managed and followed up in accordance with the University's work environment policy, agreements and local procedures.

Deans, the university director, the library director and the director of the School of Education have overall responsibility for their area of activity and, on this basis, are to support heads of department and other managers in their work environment and rehabilitation efforts.

The head of department or equivalent has primary responsibility for all staff in the workplace. The head of department or equivalent is to work systematically by investigating, assessing risk, remedying and following up the work environment to prevent ill health and accidents in the workplace. The head of department or equivalent is to work to prevent sick leave through regular discussions on staff health, initiate proactive accommodations and ensure that investigations and plans for rehabilitation and work-related accommodations are carried out and documented.

The Head of Department or equivalent may also, as per the University's "Rule for assigning work environment tasks", delegate work environment tasks to immediate submanagers or other supervisory staff who have the knowledge and authority and are most suitable to make decisions and take action. The head of department or equivalent can also assign work environment tasks to individual staff members, for example the internal HR officer. However, the head of department or equivalent remains responsible for the work environment.

Staff members are obliged to actively participate in their rehabilitation to the best of their ability, which means attending meetings called by the manager, testing an accommodation, undergoing a work capacity assessment if the manager sees a need for this, and seeing the doctor requested by the employer.

Staff members are required to provide certain medical information to enable employers to assess the need for work-related rehabilitation. Staff members do not have to disclose their diagnosis.

HR in departments and units is the head of department's resource in the proactive accommodations and rehabilitation process. The HR officer's responsibilities are to:

- provide support and advice on proactive accommodations and rehabilitation questions
- provide advice and support in work environment management
- participate in rehabilitation meetings as needed
- collaborate with the occupational health service, the Social Insurance Agency and other external actors as needed.

HR at the faculty or equivalent is an internal resource that works to support the dean of the faculty, the heads of department and their HR officers with proactive accommodations and the rehabilitation process. This includes the following:

- providing support and advice on proactive accommodations and rehabilitation questions
- providing advice and support in work environment management

- participating in rehabilitation meetings as needed
- collaborate with the occupational health service, the Social Insurance Agency and other external actors as needed.

The Human Resources Office works to ensure compliance with laws, ordinances, policies and rules related to human resources and is an internal resource to support the University's managers and their HR officers in the rehabilitation process. This includes the following:

- providing support and guidance on proactive accommodations and rehabilitation questions and the choice of appropriate measures and funding options
- collaborating with the occupational health service, the Social Insurance Agency and other external actors on a comprehensive level.

The staff member's union can be involved in supporting the staff member in the rehabilitation process if the staff member so wishes.

The occupational health service provides support and assistance to managers and staff in rehabilitation efforts and work environment management. The occupational health service has medical, ergonomic, psychosocial and technical expertise. They are the manager's expert resources and can support them in investigating, planning and coordinating rehabilitation efforts.