



Discrimination in the Finnish Labor Market

An Overview and a Field Experiment on Recruitment

Publications of the Ministry of Employment
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Employment and Entrepreneurship
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Tiivistelmä Referat Abstract <p>This report consists of two parts: I) a general overview of existing information on discrimination in the Finnish labor market and a proposal for a monitoring model, and II) a presentation of the first Finnish situation test on recruitment discrimination.</p> <p>The literature review gives an outline of existing research results and formal complaints data on labor discrimination on the grounds included in the Finnish Non-Discrimination Act: age, ethnic or national origin, nationality, language, disability, health, sexual orientation, religion, belief, opinion and other personal characteristics. Gender is included as a cross-cutting theme. Raw data from a large-scale national survey (the Quality of Work Life Survey) were re-analyzed by differentiating the answers of young and old employees, employees with foreign origin, employee representatives and chronically ill or disabled employees.</p> <p>Based on existing research results it seems that almost ten percent of the employees in Finland have observed discrimination based on age at their workplace. The employees have observed almost as much discrimination against employees and job seekers belonging to ethnic minorities. When this is put into proportion to the small size of ethnic minorities in Finland it seems clear that they are especially vulnerable to labor discrimination.</p> <p>When asked about their own perceptions of discrimination, about 40% of women and 30% of men reported having experienced discrimination in their current job. Chronically ill or disabled women had perceived discrimination most often while old men were those who reported discrimination least often among the groups included in the re-analysis of the Quality of Work Life Survey data. Regarding complaints reported to the Occupational Safety and Health Divisions, health status was clearly the most common ground for reporting.</p> <p>In addition, different research methods for assessing the level of discrimination are discussed and amendments to the monitoring of labor discrimination are proposed. Recommendations include harmonization and systematization of the data collection in order to better enable longitudinal monitoring. Better use could also be made of the potential offered by different official registers. The establishment of a coordinating body would facilitate these tasks.</p> <p>The second part of the report presents the first Finnish field experiment on recruitment discrimination using the situation testing method. Recruitment discrimination was studied on the grounds of ethnicity and gender when applying for semi-skilled office, restaurant, driver and construction jobs. The method is based on a comparison of the success of fictional job seekers with matched education and work experience. Russian- and Finnish-named female and male test applicants applied for a total of 1200 vacant jobs at the end of the year 2011.</p> <p>The findings show that Russian-named job seekers had to send twice as many applications as the Finnish-named in order to receive an invitation to a job interview. Although ethnic discrimination was found in all studied cities and occupational categories, no differences were found between cities or occupations. The findings also show that among Finnish job seekers, male applicants were discriminated in female-dominated semi-skilled office jobs. There was a tendency of multiple discrimination against Russian-named men applying for waiter, construction and driver jobs. When comparing ethnic and gender discrimination, three times more discrimination based on ethnicity than gender was identified.</p> <p>Contact persons at the Ministry of Employment and the Economy: Labor and Trade Department/Seija Jalkanen, tel. +358 10 60 48952 and Employment and Entrepreneurship Department/Liisa Männistö, tel. +358 10 60 47000.</p>		
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Foreword

The Ministry of Employment and the Economy publishes in 2012 a research report *Discrimination in the Finnish Labor Market: An Overview and a Field Experiment on Recruitment* (MEE Publications, Employment and entrepreneurship 16/2012). The research was conducted by Liisa Larja, Johanna Warius, Liselott Sundbäck, Karmela Liebkind, Irja Kandolin and Inga Jasinskaja-Lahti.

Although labor discrimination has been subject of numerous studies in Finland over recent years, no comprehensive review seems to have been conducted combining existing data on all forms of labor discrimination and scrutinizing them in light of all prohibited grounds. Especially research on recruitment discrimination has been scant and scientific field experiments on recruitment discrimination have been practically non-existent in Finland. The aim of this report is to fill this information gap to some extent. Furthermore, the study contributes to the development of a national monitoring system on discrimination.

The research project included two parts; an overview of discrimination in the Finnish working life and a field experiment on discrimination in recruitment. The research design was based on the recommendations of a previous study *Discrimination in employment - a review of research literature* published by the Ministry of Employment and the Economy in 2010 (Aalto, M., Larja, L. & Liebkind, K.: MEE Publications, Employment and entrepreneurship 16/2010) and the annual action plan of the National Monitoring Group on Discrimination.

In this report labor discrimination is approached from various angles. The phenomenon is described and analyzed through literature, official statistics and register data, as well as through formal complaints and a field experiment which provides information on recruitment discrimination in real-life situations. The purpose is, first of all, to give an overview of discrimination in Finnish working life based on earlier research results, official complaints data and the re-analysis of the Quality of Working Life Survey 2008 data. Secondly, the aim is to give suggestions on how to improve the monitoring of labor discrimination. Thirdly, this report presents the results of the first Finnish study on discrimination in recruitment using the situation testing method as outlined by the International Labour Organization.

A steering group for the research project was appointed by the Ministry of Employment and the Economy on August 22nd 2011. The chairperson was Seija Jalkanen, administrator, legal affairs, from the Ministry of Employment and the Economy (MEE), and the members were the following: senior adviser Panu Artemjeff (until November 2011) and senior specialist Sinikka Keskinen (as of November 2011) from the Ministry of the Interior, lawyer Anu-Tuija Lehto from the Central Organisation of Finnish Trade Unions (SAK) (common representative of SAK, STTK and Akava), legal adviser Timo Makkonen from the Ministry of Justice,

project manager Liisa Männistö from the MEE, senior inspector Jenny Rintala from the Occupational Safety and Health Division of the Regional State Administrative Agency of Southern Finland, labor market counsellor Matti Sihto from the MEE, and inspector Nina Suorsa from the secretariat of the Advisory Board for Ethnic Relations (ETNO), the Ministry of the Interior. The secretary of the steering group was researcher Liisa Larja from the University of Helsinki.

This research project was co-financed by the Ministry of the Employment and the Economy, the Ministry of the Interior, and the YES 4 - Equality is Priority project, supported by the European Union PROGRESS Programme (2007-2013).

Helsinki, 7 May 2012

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PART I

**Overview of previous research
on labor discrimination and a
proposal for a monitoring model**

1 Introduction

The principle of equality is a fundamental guideline in international human rights treaties and conventions as well as a cornerstone of the Finnish legal system. The Finnish government has invested significantly in anti-discriminatory measures and important advancements have been made in promoting equal treatment of various groups. The monitoring of discrimination has been developed and there are efforts to further reform and harmonize the Finnish non-discrimination legislation, which is extensive also in its current form (see, e.g., Mannila, 2007; Ministry of Justice, 2010).

Nonetheless, there is yet much to be done before the principle of non-discrimination is entirely implemented. Discriminatory practices still prevail in many sections of the Finnish society, including the labor market. By scrutinizing the state of labor discrimination in Finland this report seeks to contribute to the anti-discrimination struggle.

Discrimination in the labor market has several harmful consequences. In addition to violating the principle of equality, labor discrimination can lead to psychological, social and economical hardships for the victim. But labor discrimination is not only a problem for the individual. It also has detrimental effects on the societal level, as it results in social and economical marginalization of certain groups. In the worst case scenario, a “vicious circle of discrimination” occurs, consisting of an interplay of widespread discrimination, material disadvantages of certain groups, social distance, stereotypes and negative attitudes, each reinforcing the other (Makkonen, 2010, p. 64).

Although a fair amount of research on labor discrimination has been carried out in Finland, existing research is rather fragmented and rarely provides for directly comparable data. Studies often focus on only one aspect of labor discrimination or one discrimination ground instead of all labor-related contexts and all grounds prohibited in the Finnish Non-Discrimination Act (*Yhdenvertaisuuslaki*, 2004/21), hereafter mainly referred to as **the NDA**. It has also been noted that there is a lack of reliable research data on discrimination occurring specifically in recruitment situations (Aalto, Larja & Liebkind, 2010; Aaltonen, Joronen & Villa, 2009).

The aim of this research project is to fill some of the above mentioned information gap and to produce knowledge which supports the development of a national discrimination monitoring system. Since 2006, the Ministry of Employment and the Economy (until 2008, the Ministry of Labour) in collaboration with the Ministry of the Interior has developed a national monitoring system aiming at producing information on the level and nature of discrimination in various fields of life. This report contributes to the monitoring of specifically labor discrimination as part of the *YES 4 - Equality is Priority* project.

This report consists of an overview of the prevalence of labor discrimination in Finland, as well as of the results of a field experiment on recruitment discrimination. In the first part of the report we give an outline of the degree of discrimination in the Finnish labor market based on earlier research results, re-analyzed survey data and official complaints data. We also give suggestions for future monitoring of labor discrimination in Finland. In the second part of the report, we present the results of the first Finnish study on discrimination in recruitment using the *situation testing* method (Bovenkerk, 1992). The aim of the experiment is to assess recruitment discrimination encountered by Russians and Finns, as well as women and men, in the Finnish labor market.

1.1 Aims and methods of the first part of the report

In Finland, studies related to labor discrimination have been carried out to some extent, especially on labor discrimination facing women and ethnic minorities¹ (e.g., Husu, 2001; Asplund, 2008; Jasinskaja-Lahti, Liebkind & Perhoniemi, 2007; Forsander, 2000). Other research has in detail scrutinized labor discrimination from a strictly legal point of view (Kuoppamäki, 2008) or affecting a specific group, e.g., disabled persons, not covering other prohibited grounds of discrimination (Linnakangas, Suikkanen, Savtschenko & Virta, 2006). A recent pilot study (Aaltonen, Joronen, Villa, 2009a) shows what kind of information on labor discrimination can be obtained from the Occupational Safety and Health Divisions (*Aluehallintovirastojen työsuojelun vastualueet*), hereafter mainly referred to as **the OSHDs**, monitoring compliance with legal regulations in relation to the labor market (see Section 3.6.1). The reports mentioned above cover relevant areas of labor discrimination in detail.

Several general reviews on discrimination have also been conducted, in which labor discrimination has been covered to some extent (Aaltonen et al., 2009b; Mannila, 2007; IOM, 2003; Lepola & Villa, 2007) or only regarding recruitment discrimination (Aalto et al., 2010). However, so far there seems to be no comprehensive review combining existing data on all forms of labor discrimination and scrutinizing them in light of all prohibited grounds.

The aim of this overview is twofold:

- To what extent has discrimination been identified in Finnish working life? By cross-checking existing materials and resources we aim at producing a general estimation of the degree of discrimination in Finnish working life, both with regards to context and discrimination ground.²

“Working life” has been divided into three main areas where discrimination occurs. Firstly, the recruitment process, secondly, discrimination in work and

1 In this report the concept “minority” also refers to “psychological minorities” (see Schulman, 2009, p. 310). Psychological minorities, e.g., women or old/young people may not always constitute a minority defined in a numeric way, but still have a minority position in terms of social status or power.

2 Reports and materials published after October 2011 have not been included in this report.

at the workplace, including career advancement, salary, social inclusion and well-being, and, thirdly, discrimination in termination of employment.

The results from all three areas will be analyzed in light of all prohibited discrimination grounds included in the Non-Discrimination Act; age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics. Gender will be addressed as a cross-cutting theme throughout the overview, thus covering multiple discrimination faced, for example, by women belonging to minority groups.³

- The second objective of the overview is to evaluate existing methods to monitor and assess the level of discrimination.⁴ What kind of information do they give on labor discrimination? How usable are they in monitoring and assessing the level of various forms of labor discrimination? By this discussion we aim at setting the context for a more efficient monitoring model for discrimination in the labor market. It is towards this aim that we will also propose certain amendments to the current monitoring system.

It is important to note that our overview combines a legal and social scientific approach. We have used both qualitative and quantitative data in order to acquire a holistic picture of labor discrimination in society. As the amount of studies focusing on labor discrimination in Finland is limited, the overview covers both scientific and non-scientific sources. The study aims at cross-checking victim surveys, attitude surveys, register materials and complaints handled by central institutions. Material has been gathered from relevant stakeholders such as the Legal Register Center (*Oikeusrekisterikeskus*), relevant minority rights organizations, labor unions, Ombudsmen and Statistics Finland (*Tilastokeskus*). The primary aim of the first part of the report is not to provide new data on labor discrimination but to review existing material in order to acquire a holistic picture of the phenomenon. In contrast, new data on labor discrimination in recruitment is collected in the second part of this report.

However, in addition to utilizing already existing and previously published research results and information, we include two types of hitherto unpublished data in this report. Firstly, we have gathered information on formal complaints from the register of the Occupational Safety and Health Division of Southern Finland (*Etelä-Suomen Aluehallintovirasto*) (see Section 3.6.1). Secondly, we have performed a re-analysis of raw data from the Quality of Work Life Survey carried out by Statistics Finland in 2008 (see Section 2.1.1.2).

3 When a person perceives discrimination because of two or more prohibited grounds, it is referred to as multiple discrimination. For example, old Muslim women can be subject to discrimination based simultaneously on age, religion or ethnicity and gender. However, from a legal point of view, the concept of multiple discrimination cannot be considered to be established in the Finnish legal system (Kuoppamäki, 2008). For a detailed discussion on multiple discrimination see, e.g., Makkonen, 2002; Aaitonen et al., 2009b, p. 19–21.

4 By *monitoring* we refer in this report to collecting information on labor discrimination in general. By *assessing the level of discrimination* we refer explicitly to studying how much discrimination has been identified. Assessing the level of discrimination is an important part of monitoring.

When outlining the level of discrimination, we include both experiences of observed and perceived discrimination. Perceived discrimination (*koettu syrjintä*) refers exclusively to the victim's personal experiences of discrimination. Observed discrimination (*havaittu syrjintä*) refers to estimations of the occurrence of discrimination, mainly by external persons observing discrimination from a bystander position (see also Section 2.1.1).

We want to emphasize that discrimination in society can be approached from various angles. Discrimination might be referred to as "objective" if it is proved by an authority, such as is the case with formal complaints leading to further action and court cases. This approach focuses on discrimination as it is defined in the legal framework. According to this point of departure, the number of court cases or complaints which authorities have found legitimate gives information about the level and nature of discrimination in society. An alternative approach is using social scientific methods for assessing the level of discrimination. For example, researchers have studied the subjective experiences of victims themselves, by so-called victim studies. One might also use other scientific techniques such as analyzing register data to detect wage discrimination or situation testing showing discrimination in recruitment by pair testing (see Chapter 2 for details).

As no single source of information on discrimination can give an all-encompassing picture of the extent of discrimination in society, we include both social scientific research results and objectively proven (by an inspector representing an authority) discrimination cases in this report. However, in order to estimate the probable level of discrimination in society we have chosen to rely heavily on research results reporting, for example, levels of perceived discrimination, as only a minimal part of discrimination experiences are reported and made visible through complaints or court cases. The vast majority of discrimination experiences seem to remain unreported (Aaltonen et al., 2008; FRA, 2009; Jasinskaja-Lahti, Liebkind & Vesala, 2002. For further discussion see Section 2.3). According to Jasinskaja-Lahti et al. (2002), 70% of the immigrants who had experienced crimes related to discrimination (e.g., threats, assaults, crime against property) had never reported the crime to the police. A survey carried out on sexual minorities and their experiences of labor discrimination in Finland also shows that only around half (52%) of the respondents would be willing to bring their cases of discrimination on the ground of sexual orientation to court, whereas 10% would not take their case to court and 38% did not know. In addition, the study shows that among the 120 persons perceiving discrimination on the ground of sexual orientation, only 5 persons had reported their experiences to the Occupational Safety and Health authorities. Mostly the victims contacted colleagues (53 persons) or their supervisor (29), other options being a shop steward (13), trade unions (11), occupational health care (14) and an organization for sexual minorities (17). (Mustola & Vanhala, 2004.)

Therefore, even if we acknowledge that one cannot know which proportion of these unreported cases of discrimination would actually be proved as such by the

authorities, we stress the importance of including results from surveys in this report as they make visible also those discrimination experiences which are never reported. We maintain that focusing mainly on discrimination cases reported to and proven or revealed by an authority would not enable a comprehensive estimate of the level of discrimination in society. Having said this, however, the reader should of course keep in mind that perceived discrimination does not represent objectively proven cases of discrimination.

1.2 Setting the legal framework

Legislation is crucial for analyzing labor discrimination. When setting the legal framework we define labor discrimination from a certain point of view, i.e., the legal viewpoint. Several international documents set the standards on prohibition of discrimination, and non-discrimination is one of the most central concepts in international law.⁵ Concerning the prohibition of specific labor-related discrimination in international instruments the United Nations special body on labor issues, the International Labour Organization (ILO) has adopted several both legally binding and non-binding documents. Most central are the Declaration on Fundamental Principles and Rights at Work, and the legally binding ILO Discrimination (Employment and Occupation) Convention No.111 from 1958 and the Termination of Employment Convention No. 158 from 1982. Finland has ratified both conventions and is thereby obliged to report on provisions taken in order to comply with these conventions on a national level.

Within the EU, two main directives address labor discrimination. A directive prohibiting discrimination on the ground of racial or ethnic origin in several spheres of life, including working life, was adopted in 2000 (Council Directive 2000/43/EC). Directive 2000/78/EC, also adopted in 2000, establishes a framework for equal treatment in employment and occupation on the ground of religion or belief, disability, age or sexual orientation. On the national level these two directives have been implemented through the NDA. (Kuoppamäki, 2008.)

The following definition of discrimination is included in the Finnish Non-Discrimination Act (2004/21), which can be regarded as the core national document prohibiting discrimination. Section 6 in the NDA defines discrimination as;

- 1) the treatment of a person less favorably than the way another person is treated, has been treated or would be treated in a comparable situation (*direct discrimination*);
- 2) that an apparently neutral provision, criterion or practice puts a person at a particular disadvantage compared with other persons, unless said provision,

5 Most central are the United Nations Universal Declaration on Human Rights from 1948, The UN International Covenant on Civil and Political Rights and the UN International Covenant on Economic, Social and Cultural Rights from 1966.

- criterion or practice has an acceptable aim and the means used are appropriate and necessary for achieving this aim (*indirect discrimination*);
- 3) the deliberate or de facto infringement of the dignity and integrity of a person or group of people by the creation of a intimidating, hostile, degrading, humiliating or offensive environment (*harassment*); and
 - 4) an instruction or order to discriminate.

The prohibited grounds included in the NDA are age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation and other personal characteristics. An example of a *direct* form of labor discrimination is when a foreign worker is paid lower salary for the same duty than a Finnish worker. *Indirect* discrimination occurs when a neutral provision, even though not explicitly putting certain persons in an unequal position, makes the situation unequal. This is the case for example when excellent language skills in Finnish are required in work announcements, even though such language skills are not necessary for completing the work tasks (Occupational Safety and Health Administration, 2011).

All difference in treatment does not, however, constitute labor discrimination. Section 7 of the NDA establishes that a procedure based on an equality plan intended to implement the intention of the act itself does not constitute discrimination. The same applies to differential treatment which is founded on a genuine and determining requirement relating to a specific type of occupational activity and the performance thereof. Age is the only ground prohibited in the NDA which is separately mentioned in this section. Different treatment based on age is not discrimination “when it has a justified purpose that is objectively and appropriately founded and derives from employment policy, labour market or vocational training or some other comparable justified objective, or when the different treatment arises from age limits adopted in qualification for retirement or invalidity benefits within the social security system” (Non-Discrimination Act, Section 7). Neither does the act prevent positive action aimed at counteracting disadvantages caused by discriminatory actions (often referred to as ‘affirmative action’), as long as it is appropriate to its objective.

The definition of discrimination in the NDA is also referred to in the Employment Contracts Act (2001/55, Chapter 2, Section 2) regulating the form of contracted relationship (employment contract) between the employee and the employer. Prohibited discrimination under the Employment Contracts Act occurs when an employer, in making a decision concerning employees, knowingly puts an employee in a different position from other employees on prohibited discriminatory grounds. However, employees can be treated differently for a justified reason. The justification of a reason is assessed on the basis of a real requirement arising from the work. For example, employees of a religious community or a political party may justly be required to have a certain religious or political conviction. The nature of the employer’s operations can also be taken into account in the assessment. As is the case with the NDA, giving certain employees or employee groups positive special

treatment because they are considered to be in need of special protection is not deemed prohibited discrimination under the Employment Contracts Act. (Bill 2000/157.)

Further prohibitions concerning discrimination are included in legislation such as the acts on employment and civil service relationships, which apply alongside the provisions of the Non-Discrimination Act. Provisions on gender equality are issued in the Act on Equality between Women and Men (609/1986). In addition, the Finnish Criminal Code (1889/39) includes a definition of labor discrimination stating that “an employer, or a representative thereof, who when advertising for a vacancy or selecting an employee, or during employment without an important and justifiable reason puts a job seeker or an employee in an inferior position shall be sentenced for *work discrimination*.”

Both the Criminal Code and the Employment Contracts Act define more prohibited grounds than the NDA concerning labor discrimination. In addition to the prohibited grounds mentioned in the NDA (age, ethnic or national origin, nationality, language, religion, belief, opinion, health, disability, sexual orientation or other personal characteristics), the Criminal Code and the Employment Contracts Act also include family ties and trade union activity as prohibited grounds for discrimination. However, the last provision in the NDA “other personal characteristics” has also been specified in government bills to include trade union activity and family ties (Kuoppamäki, 2008).

Furthermore, discrimination specifically in the recruitment process is covered both by the Criminal Code and the Employment Contracts Act. The Criminal Code explicitly states that discrimination is forbidden “when advertising for a vacancy or selecting an employee” and the Employment Contracts Act clarifies that the prohibition of discrimination must be complied with also during recruitment. No similar explicit prohibition against discrimination in the termination of the employment is specified. However, the prohibition of discrimination at work can be regarded to include also the termination of an employment.

The Criminal Code further criminalizes extortionate work discrimination, which can be regarded as a more severe form of labor discrimination. In the Criminal Code extortionate work discrimination is defined as discrimination which takes place when an applicant for a job or an employee is placed in a considerably inferior position through the use of the job applicant’s or the employee’s economic or other distress, dependent position, lack of understanding, thoughtlessness or ignorance. This definition also includes applicants for a job and thus covers the recruitment process. In this context the link between extortionate work discrimination and trafficking can briefly be mentioned. Extortionate work discrimination can in some cases constitute trafficking for labor purposes as has been discussed in a Finnish context by the National Rapporteur on Trafficking in Human beings (see also Section 3.2.5).

1.3 Labor discrimination from a social scientific perspective

In addition to setting the legal framework we will briefly discuss discrimination from a social scientific perspective in order to show the complexity of discrimination as a social phenomenon. To understand why and how discrimination occurs we need to take a brief look at social psychological research on basic human cognitive processes, such as categorization, stereotyping and the need for positive differentiation.

Stereotypes and prejudice strongly affect our thinking and color our decision making (Duckitt, 1994). The process of stereotyping is linked to social *categorization*, which is one of the fundamental cognitive processes that human beings use in order to make sense of the surrounding world. "To stereotype someone is to attribute to that person some characteristics which are seen to be shared by all or most of his or her fellow group members" (Brown, 2010, p. 68). People put things, including other people, into categories because the world is too complex a place to survive in without simplifying and ordering it. However, while helping us to survive in the world, categorization also affects our perception and makes things and people belonging to the same category look more similar (a process known as "*assimilation*") and those belonging to different categories look more different (a process known as "*differentiation*") than they actually are. (Brown, 2010.)

Another fundamental social psychological process is called *need for positive distinctiveness*. Besides categorizing other people, we also categorize ourselves, thus creating in-groups ("we") and out-groups ("them"). Our in-groups form the basis of our social identity. In order to be able to "bask in the reflected glory" of other in-group members and to achieve a positive identity we prefer to identify with groups that are better than other groups. (Brown, 2010, p. 150.) Hence, we tend to evaluate our own in-group more positively than out-groups which, when combined with the processes of differentiation and assimilation, may result in negative stereotypes of out-group members. Because majority members usually influence public discourse more than do minority members, negative stereotypes about minority members⁶ dominate this discourse, serving the need for positive distinctiveness of the majority members.

Negative stereotypes *constitute the cognitive part of prejudice*. Prejudice is often defined as a faulty or unjustified negative judgment held about members of a group, but as it is difficult to ascertain whether the judgment is false, it is sometimes also defined only as "an attitude, emotion, or behavior towards members of a group which directly or indirectly implies some negativity towards that group" (Brown, 2010, p. 11). Although linked to normal processes of categorization, stereotypes become problematic because they define our expectations about what another person or

6 Even though stereotypes in relation to minorities are mostly negative, minorities can, depending on the context, activate both negative and positive stereotypes. For example, women tend to be seen as more friendly and likeable, but less competent and intelligent than men (Operario & Fiske, 2001). Also, masculine women who are rated as highly competent for a job can be disregarded because they deviate from the feminine stereotype and are not perceived to be as likeable as men who act in the same way but in accordance with the masculine stereotype (Rudman, 2005).

group of people is likely to do. They also direct our attention and guide our encoding and retrieval of information (Augoustinos & Walker, 1995). Negative stereotypes inherent in prejudice lead people to make decisions regarding persons belonging to a certain group without perceiving them as individuals. In a labor market context negative stereotypes are especially problematic in recruitment, as they put a person in a negative light only because of her or his membership in a particular group despite the candidate's ability to successfully fulfill the working tasks. For example, an employer's prejudice regarding elderly persons not being able to work efficiently after the age of 55 may lead to an *automatic* dismissal of all elderly persons instead of considering each of them individually. Prejudice contains also emotional components, which makes it quite resistant to change. For example, information about an individual out-group member which clearly contradicts a person's negative stereotype of that group can be nullified by another cognitive process called *particularization*: if this out-group member is dismissed as an "exception", the negative stereotype of the out-group can be maintained. (Billig, 1985.)

Prejudice and stereotypes can also lead to a phenomenon referred as *statistical discrimination*. Statistical discrimination occurs in situations where people do not have enough information to make an informed decision and instead they base their decision on the discriminated group's *average* behavior (Makkonen, 2010; Phelps, 1972). For example a recruiter may receive hundreds of job applications and does not have time to read through them all. S/he thinks that men on average are better at mathematics, which is required in the job, and decides to read only the applications sent by men, thus dismissing all women automatically.

Perhaps the most important feature in stereotyping and the need for positive distinctiveness is that these processes are largely automatic and occur without us being aware of them. This is often true also of early acquired affective components of prejudice. Hence, also discrimination can occur without the discriminator being aware of it. This phenomenon is due to so called *implicit attitudes*. (Brown, 2010, p. 105; Rudman, 2004.) The most essential feature of implicit attitudes is that they are not controllable. In laboratory experiments where implicit attitudes have been measured participants have been unable to hide their prejudiced attitudes even if they wanted to (Banse et al., 2001). The worst part of this is that "in the real world" where most of us do not consciously want to discriminate against other groups we may in practice be unable to live up to our standards.

1.4 The structure of the first part of the report

Chapter 1 has introduced this research, conceptualized the term labor discrimination by setting the legal framework and approaching the topic from a social scientific perspective. Chapter 2 will divide the available sources on labor discrimination into categories according to what kind of information they give on discrimination. Methodological problems related to the sources are also briefly discussed in order

to show the reader exactly what kind of information on discrimination is obtained from a particular source.

In Chapter 3 existing relevant information on discrimination in the labor market is compiled according to the prohibited grounds included in the Non-Discrimination Act. Under each of the prohibited grounds we briefly discuss the definitions of persons belonging to that certain group and emphasize central obstacles in carrying out discrimination research among this group. In Section 3.6 the formal complaints on labor discrimination are analyzed. Chapter 4 draws conclusions on the most central pros and cons of the sources of information used in the studies included in this report and discusses the usefulness of these sources in monitoring discrimination. In addition, we propose a monitoring model on labor discrimination.

2 Monitoring labor discrimination

In order to combat labor discrimination, it needs to be made visible. One central problem in approaching and monitoring labor discrimination is to prove that discrimination actually has occurred. It might be difficult to show that the difference in treatment was based on discriminatory grounds, such as ethnicity or disability, rather than acceptable factors related to the applicant's ability to perform in the job, such as education or work experience. As shown by previous research carried out in the field, monitoring and assessing the level of discrimination are complex issues (Mannila, 2007; European Commission, 2007; Aaltonen, Joronen & Villa, 2009b; Aalto, Larja & Liebkind, 2010). Only by combining various pieces of information can a holistic picture of the prevalence of labor discrimination be obtained (Aalto et al., 2010, Aaltonen et al., 2009b; European Commission, 2007; Mannila, 2007).

Before presenting the results on studies and other sources of information on discrimination in the labor market on specific grounds and in various context, we briefly present and discuss the main sources of data used in this report. When reading the analysis in Chapter 3 it is essential to know what kind of information on discrimination can be obtained from a certain source using a certain methodology.

We use three main types of data sources: **research** (mainly survey data), **official statistics** from the registers of various authorities and **complaints data** (court cases, formal complaints). These sources approach discrimination in the labor market from different perspectives.

If we want to know the level of discrimination or how many of the potential targets of discrimination actually do encounter discrimination, we can make estimations by using surveys or interviews and ask people whether they themselves have perceived discrimination or whether they have witnessed it happening to someone else. This method is sometimes criticized because it is based on people's subjective experiences, which may be either exaggerated or understated. Alternatively, we can make an experiment and see whether equally qualified people belonging to different minority groups encounter unequal treatment. The experimental method cannot be blamed for subjectivity, but it is laborious to conduct with large enough representative samples.

The level of discrimination can be indirectly estimated also by comparing statistics on unemployment rates of different minority groups and controlling for other intervening factors, such as educational level. This is relatively cost-efficient, but as the official statistics often lack information on many important factors, such as language skills, personality, etc., the results provide only a crude estimation of the phenomenon.

Another way of monitoring labor discrimination is through analyzing the information from monitoring bodies and courts. This provides information about

discrimination from a different perspective. Complaints data is a good example of objectively proved discrimination, but it cannot be used to assess the *level* of discrimination as the complaints tend to represent only the “top of the iceberg”. However, in addition to assessing the level of discrimination, also comparing this level to the number of successful claims is of interest because in this way we can shed light on the functionality of our legal system and its ability to protect and help victims of discrimination.

2.1 Research on discrimination

Discrimination research can roughly be divided into three categories:

- Survey research
 - victim surveys / perceived discrimination
 - other self-report surveys / observed and witnessed discrimination
- Experimental research
 - field experiments / situation testing
 - laboratory studies (experiments)
- Qualitative research

2.1.1 Surveys

One way of assessing the level of labor discrimination is through surveys. Surveys mapping discrimination can roughly be divided into self-report victim surveys and other self-report surveys (for a more detailed discussion on surveys see, e.g., Aalto et al., 2010; European Commission, 2007; Labor Administration, 2007; Blank, Dabady & Citro, 2004). In the first part of this report we give most weight on survey research, because it is a valid and reliable method (see for example Aalto, et al., 2010, pp 17–21, 91).

As indicated by the name, victim surveys map the victims’ subjective perception of discrimination, giving valuable first-hand information on *perceived* discrimination. The respondents are asked whether they themselves have experienced discrimination in working life. This type of research provides very important information because, as argued by Aalto and colleagues (2010, p. 92), as the main point in counteracting discrimination is to diminish the victims’ suffering, it is essential to get information on the victims’ own experiences.

Other self-report surveys ask whether the respondents have observed or witnessed someone being discriminated against in their work place. It is slightly more difficult on the basis of other self-report than victim surveys to estimate *how many* persons have been discriminated against and *how often*, because one respondent reporting having witnessed discrimination may have witnessed it happening to several people, or several respondents may report the same discrimination case. Observed discrimination may also include discrimination experienced by the respondent her- or himself but the survey gives no information on whether the respondent

was an observer or a victim. Another problem related to the formulation of the survey questions is that sometimes the respondents are asked whether they have *witnessed* discrimination (for example in the Eurobarometer), sometimes whether they have *observed* discrimination (for example in the Quality of Work Life Survey), and occasionally even whether they think that discrimination is *widespread* (for example in the Eurobarometer). Clearly these questions are answered differently and should be interpreted accordingly.

Self-report surveys may also study the respondents' prevailing attitudes towards different minority groups (referred to as *attitude surveys*) and can thus *indirectly* give information on discrimination. Attitude surveys are developed on the idea that attitudes predict behavior. Mapping employers' attitudes towards, for example, disabled persons should predict their behavior towards disabled persons both concerning recruitment and at work. However, the causal relationship between attitudes and behavior is not straightforward anymore due to political correctness as expressing negative attitudes is no longer accepted to the same extent as before (Bon, 2009; Quillian, 2006). Even though attitudes are linked to a person's general tendency to discriminate, the causal relation between attitudes and a single discrimination act is not obvious (Duckitt, 1994), as has been demonstrated in studies measuring both attitudes and behavior in the recruitment process (Pager & Quillian, 2005). Hence, the results should be interpreted with caution. The causality problem can to some extent be avoided by developing the attitude surveys so that they use more specific questions and more implicit attitude measures, as recommended by Aalto and colleagues (2010, p. 84; see also Section 1.3). More specific questions ("Would you hire a qualified immigrant applicant for your currently open post?") predict behavior better than general questions ("Do you like immigrants?") (Stewart & Perlow, 2001) and implicit measures, which are less easily recognized by the respondent as measures of discrimination, seem to give better results with regard to predicting behavior (Hanges & Ziegert, 2005; Blank et al., 2004; Rooth, 2010; Rudman & Ashmore, 2007; Wrench & Modood, 2000).

More specific questions provide more reliable data also with regard to perceptions of discrimination in victim and other self-report surveys. As can be seen for example in the results of the Quality of Work Life Survey⁷, very general questions like "Is there discrimination at your work place?" do not provide sufficient cues that would activate memories of specific events. This can result in people answering that they have not observed or perceived discrimination even when they in fact have, simply because the wording of the survey question does not stimulate their memory. Instead, defining the situation (recruitment, salary, work shifts, etc.), time frame (last five years) or ground of discrimination (age, ethnicity, etc.) stimulate our memory and help us to remember more. (Aalto et al., 2010; Jasinskaja-Lahti et al., 2002; Lehto & Sutela, 2008.) Hence, the replies to more specific questions can be considered

⁷ For example, 27% of men aged 16–24 years reported having perceived discrimination at work when the contexts were defined (see Figure 1, page 46), as opposed to 8% when they were not (see Table 3, page 45).

as more reliable. Furthermore, respondents seem to be careful with labeling an occasion as discriminatory, reacting more easily to “softer” wordings. For example, 9% of female respondents in the Quality of Work Life Survey 2008 reported that they had been discriminated against in their current organization on the ground of their gender when seeking to advance in their career (Lehto & Sutela, 2008, p. 119). What is interesting is that as many as 28% of female respondents in the Gender Equality Barometer (*Tasa-arvobarometri*) the same year reported that their gender had been a *disadvantage* in advancement in their current organization (Nieminen, 2008, p. 29).

There are also other things to keep in mind when interpreting the results of victim and other self-report surveys. Reaching the respondents may be problematic in victim surveys especially in relation to disabled persons and ethnic and sexual minorities, as the Finnish population register does not register such data. The same partly applies to religious minorities; register information about religious minorities is not comprehensive because a large part of those adhering to a minority religion do not officially belong to a religious community. Ethnic minorities can usually be located using information on mother tongue or nationality, but sexual and religious minorities can only be studied through self-identification in general population samples or targeted sampling through interest groups such as SETA (LGBTI Rights in Finland), churches or mosques. Disability can also be identified from registers of people receiving disability allowances or tax deductions, but the conditions for receiving benefits are quite tight (see Section 3.3), which may result in exclusion of the most likely victims of labor discrimination: people with a moderate degree of disability are most often in the labor market, and they are not on disability pension.

Another challenge is posed by sampling. When a survey is based on a random sample of a population, very small minorities, such as sexual minorities, “drown in the masses”. Even when the sample is in principle representative of the entire population, it may still be too small to provide reliable information about discrimination faced by small minorities. (Aalto et al., 2010, pp. 16–18.) Regarding victim and other self-report surveys using nation-wide probability samples (such as the Eurobarometer or the Quality of Work Life Survey), the results concerning small minorities must be interpreted with caution. Quite often one sees interpretations stating that, of all groups, women are discriminated most, because discrimination based on female gender was most frequently reported. However, the proportion of people in the total sample reporting discrimination experiences on a certain ground should always be considered in relation to the size of this minority.⁸

In addition, samples on general population are often biased with regard to representation of minorities, because people who lack languages skills, have very low educational background, are visually or hearing impaired, etc. drop from the sample

⁸ For example, in the 2008 Eurobarometer only 1% of the respondents perceived discrimination on the ground of disability (compared to 5% perceiving discrimination based on gender). However, only 2% of the same sample defined themselves as “disabled” (compared to 100% of the respondents having a gender). Hence, if the sample in the Eurobarometer would be representative of all disabled, it would mean that 50% of all disabled people experience discrimination, which then makes the disabled actually one of the most often discriminated groups.

because they may not answer the phone when the interviewer is calling, may not have contact information in official registers, or may be unable to complete a written questionnaire. These problems can, however, be tackled by sampling techniques, such as proportionate quota sampling which ensures that also a sufficient number of minority members are included in the sample. Of course, also the method of answering the questions (written questionnaire, phone call, home visit, translations to minority languages, Braille) must be adapted to enable participation of people with special needs.

When studying discrimination with surveys, it should be underscored that the data is based on subjective experiences of discrimination of the respondents, which may not be the same as currently valid legally defined discrimination (Aaltonen et al., 2009b, p. 7). There is much discussion on whether victim and other self-report survey results over- or underestimate the level of discrimination. The victims and observers may be hesitant to tell about discrimination due to social stigma related to it or, in the case of victims, to protect their self-esteem. These tendencies may lead to underestimation of the frequency of discrimination. Many times also more subtle forms of discrimination, such as institutional discrimination, are very hard to detect, and hence go unnoticed by the victim or observer. However, sometimes people also attribute personal failures and other negative experiences to discrimination, which results in overestimation of discrimination. (European Commission, 2007, p. 35; Aalto et al., 2010, p. 18; Quillian, 2006.) Based on this evidence, it is hard to say whether the results of victim surveys are over- or understated. However, comparing the results from our field experiment in relation to equivalent results from victim surveys suggests that people might have a tendency to underestimate the discrimination they themselves have faced (see Section 8.1).

2.1.1.1 NATIONAL SURVEYS

The two most central national surveys on working life are the Finnish Working Life Barometer (*Työolobarometri*) carried out by the Ministry of Employment and the Economy and the Finnish Quality of Work Life Survey (*Työolotutkimus*), hereafter mainly referred to as **the QWLS**, carried out by Statistics Finland. In addition to these, the Work and Health Survey (*Työ ja Terveys*) carried out by the Finnish Institute for Occupational Health includes questions on equal treatment at work.

All of these surveys contain relevant information about well-being and discrimination at work. However, some of them are better suited for the purpose of mapping labor discrimination than others (see Table 1). All surveys provide trend analyses and comparison of the level of labor discrimination in society – the Working Life Barometer on a year to year basis, the two other in intervals of three to five years. Repeating a survey annually puts restrictions on the sample size and length of the questionnaire (because of more limited resources), which is shown by the considerably smaller sample size and content of the Working Life Barometer. All surveys are based on a random sample of the working aged population, but the Working Life Barometer includes only people with Finnish as their mother tongue,

the Work and Health Survey both Finnish and Swedish speakers, and the Quality of Work Life Survey also people with foreign origin. Hence, besides being largest, the QWLS is also the most representative of the surveys. However, none of the three surveys target minority groups specifically or take into consideration their special needs when taking part in the research, e.g., questionnaires in the mother tongue of immigrant respondents.

All three surveys approach discrimination mostly from the point of view of observed discrimination (i.e., other self-report surveys). Only the QWLS asks whether the respondents themselves have perceived discrimination, being simultaneously also a victim survey. The data from victim surveys (and especially combined with other self-report surveys) offer more valid information on the amount of discrimination, thus, the QWLS can be considered best in this respect. The QWLS also covers most discrimination grounds, including questions on discrimination on the ground of age, gender, ethnicity (language, nationality, and skin color), family ties, political opinion, trade union activism, disability and sexual orientation. The other two surveys only include the first three (see Table 1). Therefore, it has been argued that the QWLS is the most extensive research on the extent of labor discrimination in Finnish working life (Aaltonen et al., 2009a).

The Quality of Work Life Survey and the Working Life Barometer include also discrimination based on “temporary or part-time work contract” and “favoritism”. Interestingly, these grounds were also the most frequently observed grounds of discrimination (Lehto & Sutela, 2008, p. 116–117). However, in the Non-Discrimination Act which is the starting point for this report, neither favoritism nor discrimination due to duration of contract or working hours are included as prohibited grounds. But the prohibition of discrimination included in the Employment Contracts Act states that “without proper and justified cause less favourable employment terms than those applicable to other employment relationships must not be applied to fixed-term and part-time employment relationships merely because of the duration of the employment contract or working hours”. The high level of observed discrimination due to duration of contract or working hours can be a sign of indirect discrimination as discussed in Aalto et al. (2010) when temporary or part-time contracts clearly are more common in certain groups. When analyzing the group of respondents in the QWLS who have observed discrimination on the ground of duration of the contract, it becomes clear that women (19%) observe more discrimination than men (11%) in this context (Lehto & Sutela, 2008, p. 118). The difference may be due to indirect discrimination based on gender, meaning that the worse conditions offered to people with short contracts are actually offered to women, as women are assigned temporary contracts more often than men.

Only the Work and Health Survey includes a question of harassment on a particular discrimination ground (sexual harassment). Previous experience has shown that surveys are often not the best instrument for studying sensitive topics like this (Lehto & Sutela, 2008, p. 110). However, all three surveys ask questions

very comprehensively on well-being and satisfaction at work, including perceiving harassment, violence or bullying. Even though these questions are not connected to specific discrimination grounds, by using background variables it is possible to compare the amount of harassment or violence encountered by young women, old men, respondents with foreign origin, etc. Significant group level differences in these questions can be interpreted as indirect evidence of discrimination. The background variables can also be used for comparing the answers of different minority groups to other interesting questions included in the survey. The QWLS includes question also on whether the respondent thinks s/he is paid too little, whether s/he works overtime unpaid, or whether s/he is on temporary contract unwillingly.

Table 1. Comparison of Finnish work life surveys

Working Life Barometer (Työolobarometri), Ministry of Employment and the Economy	Quality of Work Life Survey (Työolotutkimus), Statistics Finland	Work and Health Survey (Työ ja Terveys), Finnish Institute for Occupational Health
annually (since 1992)	1997, 2003, 2008	every third year (1997, 2000, 2003, 2006, 2009)
N=1000–1200 Random sample of Finnish speaking, 18–63 years old population who work at least 10 hours weekly	N=3000–6000 Random sample of 15–64 years old population who work at least 10 hours weekly	N=2300 Random sample of Finnish or Swedish speaking 20–64 years old who are working (2009 sample)
"Have you observed discrimination based on... old/young age, wo/men, foreign origin, (temporary and part-time workers) ... in your organization"	"Have you observed discrimination based on ... young/old age, fe/male gender, insufficient Finnish/Swedish language skills, family ties, nationality/skin color, political opinion/trade union activity, disability, sexual orientation, (favoritism, temporary and part-time workers) ... in your organization?" + If yes, "Have you perceived discrimination yourself based on old/young age, gender, political opinion/trade union activity, family ties/pregnancy?" "Have you perceived discrimination in your current organization during the last five years in the following situations ... recruitment, salary, appreciation, career advancement, assignment/shift, training, information, benefits, attitudes ...?" "Are wo/men/foreigners/the aged treated equally in your organization?" "Does your closest supervisor treat wo/men/foreigners equally?" (observed)	"Are ... wo/men, young/old ... treated equally in your organization?" + If no, "Is inequality targeted towards wo/men/old/young/both?" (observed) "Are immigrants treated equally compared to other employees in your organization?" (observed) "Have you been sexually harassed in your work during last 12 months?" (perceived)
Background variables: gender, age, trade union membership, health status (has a disability or a chronic disease), socioeconomic status (upper-white-collar, entrepreneur), education, sector, area	Background variables: age gender, ethnicity (has foreign born parents), trade union membership and trustee positions, health status (has a disability or a chronic disease), works as supervisor	Background variables: age, gender, socioeconomic status (upper-white-collar, entrepreneur), education, occupation, sector, area, mother tongue

2.1.1.2 NEW DATA FROM THE FINNISH QUALITY OF WORKING LIFE SURVEY 2008

Background information included in surveys is useful if we want to know whether for example employee representatives, chronically ill or disabled persons perceive more discrimination than other groups. To demonstrate the potential of the background data, we have re-analyzed the raw data (Statistics Finland, 2008) from the QWLS 2008. The statistical analyses were conducted at the Finnish Institute of Occupational Health. Differentiating the answers of minority groups by using the results of some questions mentioned above (e.g., “were your parents born abroad?”) we were able to produce five groups:

- young employees (15–24 years)
- old employees (55–64 years)
- those with foreign origin (one or both parents born abroad)
- employee representatives (e.g., occupational safety representatives or those in other trustee positions, such as trade union representatives)
- those reporting a disability or a chronic disease⁹

In addition, male and female respondents were separated for each group. As pointed out above, sexual and religious minorities could not be included as no applicable data exists in the survey. The re-analyzed results from the QWLS 2008 are included under each relevant discrimination ground in Chapter 3.

The re-analyses give information on observed and perceived discrimination. For observed discrimination, the prohibited grounds are specified (as seen in Table A1 in Appendix A). After asking the respondents whether they had observed discrimination in their organization, only those respondents who had observed discrimination were asked the follow-up question, i.e., whether they had perceived discrimination themselves on that ground (Table A3 in Appendix A). For some reason, this question was not posed to people reporting discrimination based on nationality, skin color, language skills, disability, or sexual orientation. In addition, the answers regarding discrimination against women and men were not differentiated. For the purposes of this report, including all groups would have given valuable information as this would have enabled comparison between the perceived level of discrimination *on a certain ground*.

Next, the respondents were asked whether they had perceived discrimination in nine different *situations*, e.g., salary, recruitment, appreciation (Table A2 in Appendix A). We also constructed a new category based on the raw data – “any of the preceding” – in order to know how many in the separated groups had perceived discrimination in at least one of the listed situations (see Figure 8 on page 111). With regards to recruitment, the survey question is somewhat problematic, as it was limited to concern only discrimination or unequal treatment in the *current* organization during

⁹ As the question for reporting a disability or a chronic disease diagnosed by a physician was widely formulated, the number of persons reporting having a chronic disease was high and included, for example, persons with digestive organ diseases. This needs to be kept in mind when interpreting the results for the group.

the previous five years. The obtained figures would have been more useful would they not exclusively deal with the same work place where the person demonstrably had obtained a position. Furthermore, the prohibited grounds were not specified in this question which means that we cannot with certainty know on which ground discrimination occurred. However, we were able to compare the level of perceived discrimination among the above mentioned five groups.

2.1.1.3 EUROBAROMETER

The Special Eurobarometer is a large survey including respondents from all EU member states. It covers the prohibited grounds gender, ethnic origin, sexual orientation, age, disability and religion/belief. By containing questions both on perceived and witnessed discrimination it maps the level of discrimination in detail. Discrimination is approached through three separate questions; whether the respondent considers discrimination on a certain ground to be widespread, whether the respondent has experienced discrimination and, thirdly, whether the respondent has witnessed discrimination. However, the Eurobarometer mostly addresses discrimination in general and not specifically in the labor market.

The Special Eurobarometers are large surveys including answers from almost 30 000 Europeans. In this report we have included the results from the Finnish respondents in the two latest Special Eurobarometers on Discrimination, the Special Eurobarometer 296 (2008, Finnish respondents N = 1001) and the Special Eurobarometer 317 (2009, Finnish respondents N = 999). The added value given by the Special Eurobarometer is that they provide also comparative data on the EU level.

The Special Eurobarometer is an essential information source on discrimination in the EU. Even if it does not address labor discrimination specifically, various questions relevant for assessing the level of labor discrimination are included. The most important question concerns recruitment: *“In [our country], when a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage? The candidate’s address, name, smoker, sexual orientation, gender, religious belief, way of speaking, his or her accent, general physical appearance (size, weight, face, etc.), disability, skin color, ethnic origin, age”* This question is important, because recruitment discrimination has been inadequately addressed in other surveys (Aalto et al., 2010, p. 92).

2.1.2 Experimental research

The key feature of experimental research is the possibility to control and manipulate the research design. This makes experimental research the most reliable method from the perspective of drawing causal arguments (Pager, 2007; Quillian, 2006). For example, same-sex-preference in recruitment decisions can be studied in laboratory

experiments by showing applications of equally qualified male and female job applicants to men and women working as recruiters and asking them if they would hire the candidate or not. The possible same-sex-preference in the results can then be explained only by the difference in the applicants' gender, because all other explaining factors were controlled for (apart from the name of the applicant the applications were exactly the same, no other information was available, etc.).

Experimental research can be divided into laboratory experiments and field experiments. Laboratory experiments are conducted in a laboratory, and for this reason suffer from the low generalizability to the labor market in general (Aalto, et al., 2010, p. 93). Laboratory experiments are not very well-suited for assessing the *level* of discrimination (only the reason for it) and hence are not presented here in more detail. To our knowledge, no laboratory tests on labor discrimination have so far been carried out in Finland.

Field experiments, however, benefit from much better generalizability, as they are conducted in real situations in the "real world" (Pager, 2007). The most famous design in the field of discrimination studies are the so-called *situation tests*, where research assistants belonging to minority and majority groups pose as job seekers and apply to real job advertisements. Similarly to laboratory experiments, the only difference is in the studied characteristic (e.g., ethnicity or gender) and the applicants are equally qualified and trained to act in the same manner. The results are based on the comparison of the responses received by minority and majority applicants (see Section 5.1).

Situation tests have been used widely, in Europe particularly by the ILO and in the USA by the Urban Institute. Situation testing as a method for studying recruitment discrimination has high validity (see Aalto, et al., 2010, pp. 27-34, 91). Besides the labor market, this method has been applied in various other fields: discrimination in housing, granting loans by banks, admittance to hotels, restaurants or nightclubs, in car hiring, insurance, etc. (Bovenkerk, 1992). In Finland, a few experiment-like discrimination tests have been carried out but without a control group (e.g., Ahmad, 2005; see also Section 5.1). The first Finnish study using the situation testing method as developed by Bovenkerk for the ILO is reported in the second part of this report.

There are three dependent variables in the design of these experiments, firstly, if the applicant is invited to send an application when s/he is calling on the basis of the advertisement, secondly, if s/he is invited to an interview after sending the application, and finally, if s/he is offered the job after the interview. All experiments do not include all these stages. Experiments where the applicants either call or visit the employer are usually called *situation tests* in Great Britain and *audit tests* in the US (Riach & Rich, 2002). Experiments that are based on written applications only are called *correspondence tests* (ibid.). Due to ethical considerations of wasting the employers' time in fake interviews, and because of difficulty to play credibly professional in a field other than one's own, the interview stage is often omitted from the design.

The pros and cons of situation testing are outlined in detail in many international (Bendick, 2007; Carlsson & Rooth, 2007; Pager, 2007; Riach & Rich, 2002, 2004; Quillian, 2006) and national (Aalto et al., 2010) reviews. Situation testing shares the same strengths as other experimental field research: possibility for causal argumentation based on the control of intervening factors and better generalizability to “real world” situations than laboratory experiments. The most important shortcoming is related to sampling and generalizability. It is very difficult to use random sampling of all open vacancies, because, first of all, only half of the open positions in Finland are published openly (Tuomaala, 2009). In addition, applying to all kinds of jobs in all cities is simply not feasible. It would require designing hundreds of different kinds of applicant profiles (CVs) with different home addresses and with in-depth knowledge from a large amount of different fields. Therefore one should pick vacancies that can be applied for using the same CV and without very high-level expertise requirements. This, however, compromises the generalizability to other labor market sectors and jobs in small towns.

The other important problem related to the applicability of this method concerns the study of groups besides men, women and ethnic minorities, who can easily be identified by name. Designing equally qualified CVs for very differently aged applicants is difficult because a young applicant cannot have very many years of experience and the older applicant will look strange with only a few years of experience. Disability can be openly stated in the application, but the decision on what kind of disability is studied is very important, since the results cannot be generalized to other kinds of disabilities (see Section 3.3 for more discussion on the diversity of the concept of disability). Political opinion, sexual orientation¹⁰ and religion are also more difficult to apply, at least in audit tests. In correspondence testing these grounds can be studied by expressing affiliation (e.g., volunteer work) to relevant organizations (church, LGBTI organization, political party) in the CV.

Moreover, studying multiple grounds simultaneously in the same study is not very feasible in the Finnish labor market, because there are simply not enough open vacancies to achieve a sample size that would allow statistically reliable results. Currently recruitment in Finland is heavily concentrated; recruitment agencies and consolidated corporations account for approximately 50% of all job advertisements. The problem with regard to experimental research such as the one conducted as part of our research project is that once a job offer is declined, the applicant cannot apply again for other positions advertised by these actors. The pool of usable open vacancies is thus dramatically diminished.

¹⁰ However, despite the difficulty in application within the context of recruitment discrimination, situation testing for discrimination based on sexual orientation has successfully been applied on the housing market where it is common to make applications as a (same-sex-) couple (Ahmed & Hammarstedt, 2009).

2.1.3 Qualitative research

Another source of information on labor discrimination is qualitative research. Qualitative research can give in-depth understanding of human behavior, show trends in the area and give detailed information on certain forms of discrimination. However, it is not suitable as a tool for estimating the general level of discrimination, as results can seldom be generalized outside the sample. In contrast, a qualitative approach is well suited to give a voice to those discriminated against (European Commission, 2007). For these reasons we include qualitative studies only when no other research is available.

2.2 Official statistics and register data

In addition to direct survey questions assessing the level of discrimination in working life, more indirect sources can be used, such as official statistics and registers. In order to be able to use official statistics in assessing the level of labor discrimination it is essential that certain background information of the registered is available (e.g., age, ethnic origin, disability) (European Commission, 2007, p. 28). Concerning the grounds included in this report Finnish national statistics are available on gender, age, language and nationality. For these grounds, official statistics provide comparable data, which allows trend analyses and long-term monitoring. The results can also be generalized over the main population, because the register is not a sample but includes the whole population. The downside is the rather low reliability and validity, as there is sometimes incorrect or missing information in the statistics and because not all relevant aspects affecting for example the unemployment rate (e.g., language skills) can be controlled for. For this reason, statistics function best as indicators pinpointing differences but often fail to give further reasons for them (European Commission, 2007, p. 28).

Sexual orientation, disability and ethnicity can under international human rights law be seen as sensitive information and it is therefore not permitted to collect information about these variables without the approval of the individual concerned. The limits for how and when sensitive background information can be included in censuses are currently under redefinition. Much depends on the national sensitivities and practical experiences in various EU countries show that people are more open now than before to the idea of collecting sensitive data, as they realize the benefits involved and that this information is not misused. (European Commission, 2007.)

However, various *proxy* variables can be used. For example ethnicity is typically studied using mother tongue or nationality as an indicator. Disabled people can be identified through registers of people receiving disability benefits upheld by the Social Insurance Institution or tax deductions by the Tax Administration, sexual minorities based on registered same-sex partnerships and religious minorities based

on their religious affiliation from the Population Information System (Population Register Centre, *Väestörekisterikeskus*), although members of religious minorities with immigrant background are often not officially registered and hence cannot be identified through this register (Statistics Finland, 2011d). There are some restrictions with relying only on registered data for disabled persons, as discussed in Section 3.3. Also sexual minorities located through same-sex partnerships exclude singles who do not live in partnerships (as suggested by the European Commission, 2007, p. 52), but comparing for example married people to people in registered same-sex partnership would produce useful data. Hence, all the grounds of discrimination defined in the EU discrimination directive (Council Directive 2000/43/EC) can be studied through official statistics and registers.

Thus, registers can provide valuable data for studying labor discrimination. Several relevant statistics exist on a national level (*Työssäkäyntitilasto*, *Palkkarakennetilasto*, *Työnvälitystilasto*) providing information on labor market status, salaries, access to employment and reasons for termination of the job. The differences between various groups (men, women, young, disabled, etc.) in unemployment rates, salaries, access to employment or reasons for termination can be interpreted as indirect evidence of discrimination, providing that all relevant intervening factors are controlled. Controlling for intervening factors can be done with various types of multivariate analyses, such as regression analyses.

For example, foreigners earn on average 2 579 euro per month, compared to 2 737 euro earned by Finns, the difference being 5.8% (Katainen, 2009). As such, this difference cannot be interpreted as a sign of discrimination because there are several important socio-demographic differences between Finns and foreigners. However, once these factors are controlled for, the remaining difference can be argued to show discrimination. Once the labor market sector, occupation, age and work experience were controlled for, the difference of 5.8% decreased by three percentage points. This is due to the facts that immigrants typically work in occupations with lower average wages, have a lower average age than Finns and receive lower salaries due to fewer years of work experience. (Katainen, 2009.) The remaining 2.8%, however, can be argued to signal discrimination.

These kinds of analyses are not routinely produced by national statistic agencies and hence producing this kind of results requires either special resources from the statistic agencies or ensuring the access to the raw data for other researchers who can produce the analyses.

2.3 Formal complaints

Discrimination information reported to specific monitoring institutions or bodies gives a picture of discrimination in cases where a specialized agency has had reason to believe that discrimination has occurred, e.g., ombudsmen, Occupational Safety and Health Divisions or courts. This is where the subjective experience of

discrimination by an individual meets the institution representative's (inspector, prosecutor) objective judgment of the occurrence of discrimination.

Monitoring labor discrimination by safeguarding compliance with the law falls primarily within the mandate of the Occupational Safety and Health Administration (*Työsuojeluhallinto*) in accordance with the provisions of the Act on Occupational Safety and Health Enforcement and Cooperation on Safety and Health at Workplaces (2006/44; 2006/50). However, the issue is not very simple when it comes to monitoring ethnic discrimination and gender discrimination. As far as ethnic discrimination is concerned, The Ombudsman for Minorities (*Vähemmistövaltuutettu*) and the National Discrimination Tribunal (*Syrjintälautakunta*) monitor compliance with the NDA. If, however, the matter concerns employment relationships and service relationships governed by public law and in traineeships and other comparable activities at the workplace, the matter is forwarded to the Occupational Safety and Health Authorities. Gender discrimination issues on the labor market, in turn, are not monitored by the Occupational Safety and Health Authorities but by the Ombudsman for Equality (*Tasa-arvovaltuutettu*). Gender discrimination is monitored by the Occupational Safety and Health Divisions to the extent the case covers issues included in the Employment Contracts Act or other laws falling within the mandate of the divisions. This means that a complaint filed within the Occupational Safety and Health Authorities moves to be handled by the Ombudsman for Equality if the case seems to concern only gender discrimination in working life, which is covered by the Act on Equality between Women and Men. The OSHDs are obliged to report a complaint to the police if they have a reason to suspect a labor discrimination crime (according to the Criminal Code Chapter 47, Paragraphs 3 and 3a). Interestingly, the obligation to report when suspecting a labor discrimination crime also covers gender discrimination in working life, which seems slightly inconsequent as the OSHDs primarily do not monitor gender discrimination in employment.

The complicated division of labor between certain institutions on monitoring labor discrimination can be viewed as a threshold for filing a complaint on labor discrimination. In 2010, 20% of the complaints reported to the Ombudsman for Minorities concerned labor discrimination (Ombudsman for Minorities, 2011), which shows that people still do not know whom to report to when facing labor discrimination.

Formal complaints cannot as such be used for assessing the level of discrimination in society as they only show the top of the iceberg of discrimination experiences. Unfortunately, it seems that the vast majority of discrimination experiences remain unreported (Jasinskaja-Lahti et al., 2002; Aaltonen et al., 2008, European Commission, 2007; FRA, 2009, see also the discussion in Section 1.1). According to the EU Minorities and Discrimination Survey (EU-MIDIS) carried out by the European Union Agency for Fundamental Rights, not reporting discrimination seems to be the norm among the ethnic minority groups interviewed. Out of the Finnish minority groups included in the survey, the reporting rate was low (an average of nine domains

covered by the survey and incidents from the last 12 months only). Only 27% of the Russian respondents and 32% of the Somali respondents had reported the incident either to an organization or an office where complaints can be made or to the place where discrimination took place. (FRA, 2009, p. 51.)¹¹

Several reasons for not reporting were identified in the EU-MIDIS report; fear of intimidation from perpetrators, lack of knowledge on whom to report to and most commonly skepticism that reporting the incident will be of any use (FRA, 2009). The results of a Finnish national survey show that among immigrants who had experienced crimes related to discrimination, the main reason for not reporting was seeing the matter as insignificant (39%) or not believing that reporting the crime would lead anywhere (29%) (Jasinskaja-Lahti et al., 2002). Victims might be uncertain whether discrimination actually took place or fear that they do not have enough evidence for showing that discrimination occurred (European Commission, 2007). Filing a complaint on discrimination might also be impossible for a worker in a “low” position as the consequences of reporting might be dismissal, which she or he cannot risk. For an illegal worker, e.g., foreign workers in construction without a legal work or residence permit, reporting is not an option either as the consequences of reporting in addition to dismissal might lead to involving the police authorities.¹² Due to the low reporting rates of discrimination incidents formal complaints and court cases have been considered more suitable for analyzing the functionality, development and implementation of the judicial system than as indicators of the actual level of discrimination (Aalto et al., 2010).

11 Despite the low reporting rate among both Somalis and Russians in Finland, these rates were among the highest in an EU comparison (compared to e.g., Sub-Saharan Africans in Portugal with a reporting rate of 0 %).

12 Here it can be noted that the Finnish Non-Discrimination Act, Section 8 contains a prohibition of victimization due to safeguarding equality: “No one may be placed in an unfavourable position or treated in such a way that they suffer adverse consequences because of having complained or taken action to safeguard equality.”

3 Labor discrimination in Finland in light of existing materials

This chapter aims at showing, in light of existing sources, the level of labor-related discrimination on different grounds. As mentioned in the previous chapter, determining the degree of discrimination is not an easy task as there are several factors affecting the results of the various studies. In addition, there might not be enough information to draw any conclusions regarding some specific grounds, as specifically labor discrimination research is a relatively new field of research in Finland.

We have chosen to treat research on labor discrimination separately from formal complaints. Another option would have been to place the formal complaints under each prohibited ground as we have done with the other sources used in this report. There are several reasons for our choice. One is that the information on labor discrimination obtained from research and complaints differ very much from each other, as discussed in Chapter 2. Another reason is that, in order to get a holistic picture of the complaints received by monitoring bodies it is more logical to present all the results together instead of splitting them under each prohibited ground. The third and decisive reason is, however, that we have gathered mainly statistical information on the reports of offences made to the police and court cases which makes it impossible to categorize them in accordance with the prohibited grounds. As a consequence, all the formal complaints on labor discrimination on different prohibited grounds are discussed together in Section 3.6.

In this report, we have chosen to categorize the prohibited grounds included in the NDA according to existing sources on labor-related discrimination, not according to the legal framework. For example, several studies treat disability and health status together, making a separation of the level of discrimination observed/perceived on the grounds of health status and disability impossible. The same prevails with certain sources on discrimination on the ground of ethnic origin. It is rather impossible to distinguish whether the victim has perceived discrimination on the ground of ethnic/national origin or nationality, if the questionnaire does not separate between these grounds. For the respondents it may also be difficult to distinguish which prohibited ground was the primary reason for being discriminated. However, clustering various prohibited grounds together can be regarded as problematic from a legal point of view, as in the legal framework prohibiting discrimination each prohibited ground is mentioned separately and the protection from discrimination differs between the grounds (see Section 1.2).

Regarding the Quality of Work Life Survey, we include both published results from the 2008 survey (referred to as Lehto & Sutela, 2008) and results from new analyses of the same data (referred to as Statistics Finland, 2008). The report from Lehto and

Sutela also contains results from the previous Quality of Work Life Surveys (1997, 2003) which allows trend analysis across the years in labor discrimination (see Section 2.1.1.2).

3.1 Age

Age discrimination in the labor market refers to discrimination of an applicant or employee because her or him being of a certain age. Age is one of the most studied discrimination grounds in Finland compared to the other prohibited grounds in the NDA and it has been studied both directly and indirectly. There are numerous studies on elderly persons, their well-being at work and ability to prolong their active working age (e.g., Jurvanen, 2011; Huuhtanen et al., 2008; Rantala & Romppanen, 2003; Pärnänen, 2011). Furthermore, age is often included as a prohibited ground in sources assessing discrimination in working life (e.g., Lehto & Sutela, 2008; Central Organisation of Finnish Trade Unions, 2008; Ylöstalo & Jukka, 2010).

In recent years there has been a discussion on the ageing Finnish population and the topic has interested researchers, politicians and media. The proportion of people over 65 years of age in Finland will increase to 25% of the population by 2020 as a consequence of the post Second World War baby boom generation and lower fertility rates since then. Due to this, almost 40% of the current Finnish workforce will retire by 2020, which will result in enormous age structure changes in working life. (Ilmarinen, 2005.) This fact has put elderly people in the work force in the spotlight and research has been carried out on the unemployment route to retirement¹³ and the low employment rate among elderly persons in Finland (Rantanen & Romppanen, 2003; Ruoholinna, 2009; Pärnänen, 2011; Jauhiainen & Rantala, 2011). It has also been noted that it is especially challenging for elderly unemployed to re-enter working life (Sihto, 2005). Overall, the phenomenon of age discrimination and ageism has emerged as a subject for public debate in Finland.

During recent years results from the Eurobarometer survey demonstrate a large increase of persons considering discrimination on the ground of age to be widespread. However, these figures are reported only for age discrimination in general, not specifically on labor discrimination. The results of the Eurobarometer 2008 showed that 43% of the Finnish respondents saw discrimination on the ground of age as very widespread or fairly widespread, which is slightly over the average EU percentage on this issue (Eurobarometer, 2008, appendices). In the 2009 Eurobarometer, the percentage had risen to 63% of the Finnish respondents seeing age discrimination as very widespread or fairly widespread (Eurobarometer, 2009, appendices). Among the Finnish respondents, only discrimination on the

13 An unemployment route to retirement (*työttömyyseläkeputki*), as defined by the Social Insurance institution of Finland, means that a person moves from being unemployed directly to retirement with the help of an unemployment pension. After having reached the 500-day maximum for the payment of the unemployment allowance, the person receives a special unemployment pension which provides income security for aging unemployed persons who are under the statutory retirement age.

basis of ethnic origin was seen as more widespread (72% in 2009) (Eurobarometer, 2009, appendices). However, any further conclusions on the actual level of age discrimination in society are perhaps not to be drawn from these results due to the unspecified nature of the question on discrimination. We do not know whether the respondents had perceived or observed age discrimination or maybe only felt that age discrimination has been discussed in media, etc. Still, a 20% increase in one year indicating that age discrimination is more widespread than before is slightly concerning. Regarding witnessed discrimination, 8% of the Finnish respondents in the Eurobarometer reported witnessing discrimination in the past twelve months in 2009. When it comes to perceived discrimination, age was the most common ground on which the respondents have personally felt discriminated against. In Finland, 5% had personally felt discriminated against on the ground of age in the last 12 months in 2009. (Eurobarometer, 2009, appendices.) Contrary to the Quality of Work Life Survey and the Working Life Barometer, however, the Eurobarometers do not differentiate between discrimination on the grounds of old or young age.

3.1.1 Discrimination in recruitment

Though setting a specific age preference in work announcement is prohibited (Kuoppamäki, 2008), direct and indirect discrimination can be visible already in the recruitment process. Requiring certain skills, such as expert knowledge in ADP-skills or looking for a “youthful” person, sets older persons in a disadvantageous situation. On the other hand, a large group vulnerable to recruitment discrimination among young persons is women in childbearing age. However, as the protection from discrimination on the ground of pregnancy or childbirth falls within the scope of the Act on Equality between Women and Men, we do not discuss the matter further in this report.

In the Eurobarometer 2009 the respondents were asked which factors they feel may put job applicants at a disadvantage if a company had to choose between two candidates with otherwise equal skills and qualifications. Age was seen by the Finnish respondents as the third most common factor putting a person at a disadvantage in the recruitment (the candidate’s look, dress-sense or presentation and disability were more important). Of the Finnish respondents, 52% were of the opinion that (high or low) age might put a person at a disadvantage. The candidate’s skin color or ethnic origin was regarded as equally disadvantageous (for a comparison between the other prohibited grounds and for an EU level comparison, see Appendix B). As it was not specified whether the respondent saw old or young age as being the disadvantage, further conclusions on the precise ground for discrimination cannot be drawn. It can be mentioned that, in comparison, an average of 48% among the respondents in all the EU countries saw age as a potential disadvantage in recruitment. (Eurobarometer, 2009, appendices).

In 2008, the results from the Eurobarometer were reported separately for respondents in managerial positions. This gives an opportunity to compare

the results among the general population and persons in managerial positions (presumably those in charge of recruitment). Among the general population 47% were of the opinion that age would be a factor putting persons at a disadvantage in recruitment compared to 51% of persons in managerial positions. (Eurobarometer, 2008, appendices.) The results show that managers consider age as a more important factor affecting the recruitment decision than the other respondents.

A question on recruitment discrimination has been included twice in the Quality of Work Life Survey; in 2003 and 2008 (Lehto & Sutela, 2008). To find out about discrimination based specifically on age we re-analyzed the data from 2008 and separated the answers of the young and old from the total group of respondents (Statistics Finland, 2008). The respondents were asked whether they had perceived discrimination or unequal treatment in their current organization related to recruitment during the last five years (see Section 2.1.1.2 for contemplation on the formulation of the question). The results show that 7% of old women (aged 55–65) perceived discrimination in recruitment (see Figure 2 on page 47). Out of young women 5% (aged 16–24) perceived discrimination in recruitment (see Figure 1 on page 46). In contrast, only 1–2% of old and young men perceived discrimination and hence had the lowest scores of all groups. This can possibly be indicative of multiple discrimination against old women on the grounds of age and gender. It is, however, surprising that the differences in the perceived level of discrimination in recruitment was not significantly higher for young women, who one could presume to be victims of this form of discrimination due to possible pregnancy.

Discrimination in recruitment on the ground of old age has been subject to some research (e.g., Pärnänen, 2011; Trade Union for Salaried Employees, 2010 and 2011; Vaahtio, 2002; Kouvonen, 1999). In light of these studies, recruitment seems to be the weak spot regarding labor discrimination on the ground of high age. By combining several sources of information on high age discrimination both at work and in recruitment, Kouvonen (1999) shows that recruitment discrimination on this ground is more severe than discrimination occurring during employment. Her vast study on perceptions of discrimination in working life includes data from the Working Life Barometer, the Quality of Work Life Survey, as well as from interviews with employers in small and medium sized enterprises and 27 elderly unemployed job seekers.

Ruoholinna (2009) shows similar results in her qualitative research (N = 98); recruitment is perceived to be the context where discrimination reached its peak. Ruoholinna found fear among the elderly respondents from the retail trade sector that it would be difficult, if not impossible, to find a new job at the same level or a permanent post if they were made redundant in their current work. Parpo (2007) found similar patterns in his research on obstacles to find a job; high age was one of the most central obstacles. Parpo used both qualitative and quantitative methods in order to map factors having an impact on the chances to find employment for long-term unemployed persons. He used registers from Statistics Finland on income

distribution among unemployed. In addition, 21 long-term unemployed persons were interviewed. Out of those interviewed, 13 persons regarded high age as a clear obstacle in getting employed (Parpo, 2007, p. 51). In light of the sources mapped for this report no research was found explicitly addressing the discrimination of young persons in recruitment (with the exception of our re-analyses of the data from the QWLS, see Section 3.1.2).

Recruiting practices involving age discrimination occurs partly because they appear as rational for employers. This is shown by Pärnänen (2011) in her recent study, where several employers denied that age discrimination occurs, although they in another context openly admitted preferring young workforce with newer knowledge (Pärnänen, 2011). Pärnänen interviewed 23 employees, 10 personnel managers and 10 union stewards. She examined the organizations' age policies in detail, and reported that age discrimination occurs mostly in recruitment and in the termination of an employment, thus not being much of a problem in working conditions. Even though the small samples used in these studies neither allow for generalization of the results to the whole population nor can be used to assess the level of discrimination, they indicate that that the problem of age discrimination in recruitment still prevails.

Interestingly, Vaahtio (2002) obtained contradicting results; work experience, educational level, and profession were considered to be more important factors affecting the recruitment than the chronological age. Vaahtio conducted interviews with 47 small and medium sized enterprise managers in the private sector, 45 unemployed job seekers and 18 officials at the employment agency.

In 2011, Suomen Terveystalo (*Finnish Healthcare*) carried out a survey mapping attitudes towards older workers both among employees (N=1000) and among persons in decision-making positions in occupational health care (N=200) when the issue of recruitment threshold was addressed. Among the employees 62% completely or somewhat agreed with the statement "it is very complicated for older workers to find new jobs in our occupation" (Suomen Terveystalo, 2011, p. 27). In contrast, only 42% of the persons in decision making position in occupational health care totally or somewhat agreed with this statement (Suomen Terveystalo, 2011, p. 11). These results show two things; firstly, that once having become unemployed the chances of getting employed are low for old persons. Secondly, when the same question was posed to employees and persons in decision making positions in occupational health care, the percentage of those who agreed was much lower among the latter respondents. This might indicate that persons in the decision making position in occupational health care do not want to admit that age discrimination occurs. Of course, this study cannot elucidate whether discrimination de facto does occur.

The same fear for a high threshold in recruitment if becoming unemployed at an old age is evident in the study by Suoranta (2008). By using statistics from the QWLS, Suoranta addresses problems related to fixed term contracts. The older the employee gets, the lower is her or his estimated probability of getting a fixed-term contract

renewed or getting a permanent contract. Likewise, the estimated probability of getting unemployed after the current short time contract is highest among persons over 54 years of age (30%). (Suoranta, 2008, p. 6.)

The issue of discrimination on the ground of young age does not seem to be subject to much research. One central reason might be that it is easy to “hide” discrimination on the ground of young age in recruitment by referring to lack of experience as an obstacle for managing the work tasks demanded for a specific job. One study which touches upon recruitment discrimination on the ground of young age is Vaahtio’s work (2002). She found that employers tend to seek potential new workers among former workers, as their knowledge, experience and ways of working are already known to the employer. This practice puts young job seekers without any previous working experience in a more disadvantageous position. (Vaahtio, 2002, p. 7.) For example, explicitly requiring both a Master’s degree and five years of relevant working experience excludes young persons immediately at the beginning of the recruitment process.

3.1.2 Discrimination at work

Regarding statistics on employment rates, a positive trend is discernible for the elderly. Among persons aged 55–64 the employment rate rose from 36% in 1998 to 55% in 2007 (Lehto & Sutela, 2008, p. 211). Several reasons can be found for this change, such as the renewal of the retirement system (by changing the minimum age of moving to the unemployment route to retirement from 53 to 57 years in 2005) and the National Programme of Ageing Workers between 1998 and 2002 (Jauhiainen & Rantala, 2011; Ilmarinen, 2005, p. 64). This increased employment rate may indirectly show that, in society at large, discrimination in the labor market context has diminished on the ground of high age. A logical explanation would be that employees cannot “afford” discrimination on the ground of old age due to lack of labor force. However it is impossible to specify whether the level of discrimination has diminished in recruitment or in termination. In August 2011, the employment rate among persons aged 55–64 was approximately on the same level as in 2007; 56% (Suomen virallinen tilasto, 2011). The employment rate among young people aged 15–24 was much lower; 44% (Suomen virallinen tilasto, 2011). However, regarding employment rates among young people it needs to be taken into account that many of them are studying full time and thus do not belong to the labor force.

The unemployment among young people has in a European perspective been quite high in Finland during the last decades. This has given rise to considerable political debate, as there is a need for new workforce to replace the large generations reaching retirement age. Young people also tend to be the ones most affected by the recession and are the first ones to fall off the labor market (Keinänen & Sinivuori, 2010). In September 2011 the unemployment rate among young people was 14.3%, which is the same level as in September 2010 (14.4%). According to Statistics Finland,

young men are to a greater extent unemployed (16.2 %) than young women (12.5%). (Suomen virallinen tilasto, 2011a.) Keinänen & Sinivuori (2010) also show in their article analyzing employment and unemployment rates among young people that during the last decade the employment rate among young men has decreased whereas the employment rate among young women has increased. The low employment rate among young people in combination with their high unemployment rate indirectly indicates that this group faces labor discrimination. However, in order to identify discrimination as a reason for the high unemployment rate other factors, such as education, would first need to be controlled for.

According to the Working Life Barometers of 2005–2010, old age has been the most common ground for observed discrimination out of the prohibited grounds included in the NDA. In the barometer respondents were asked if they have observed discrimination on a certain ground in their work organization. Eight per cent of the respondents had observed discrimination on the basis of old age. Discrimination on the ground of young age has been the second most frequently observed ground for discrimination during the period 2008–2010, with 6% observing this form of discrimination. (Ylöstalo & Jukka, 2010, p. 180.) Although discrimination on the ground of age appears to be a common form of discrimination in the surveys, these results need to be interpreted with caution. Age is a wide concept covering a large part of the respondents in the surveys and many can thus personally relate to discrimination on the ground of age. Every respondent in the survey has an age and as it is not specified what old age or young age means (e.g., by defining specific age groups) the group boundaries are open to subjective interpretations by the respondents. Another reason might also be the ageing population both in Finland and in Europe, which has led to more discussion about age discrimination and perhaps thereby more “age sensitive” respondents. The economic crisis also affects the results; one of the perceived consequences of the crisis is that the jobs of older Europeans are less secure (Eurobarometer, 2009, p. 73.)

The QWLS showed similar results; that discrimination on the ground of age was the most common prohibited ground included in the NDA on which discrimination had been observed in 2008. In contrast to the Working Life Barometer results, the QWLS results indicate that discrimination on the ground of young age occurs more often than on the ground of old age. In comparison to previous years’ results (1997, 2003), observations of discrimination against older people have slightly decreased, while observed discrimination against young people has increased. In 2008, discrimination on the ground of young age (10%) was for the first time observed more often than on the ground of old age (9%). (Lehto & Sutela, 2008, p. 118.)

Based on the published results from the QWLS of 2008 (Lehto and Sutela, 2008) and our own re-analysis of data (Statistics Finland, 2008; see Section 2.1.1.2 for more details), around 10% of the population have observed age discrimination and 10–20% of the young and old themselves perceive discrimination at work. Next, these results are presented in more detail.

Regarding observed discrimination, 8% of the women and 6% of the men disagree with the statement that “my closest supervisor treats aged personnel equally” (see Table 2). The percentage is higher among respondents aged 55–64 themselves, among whom 9% of the women and 7% of the men do not believe that equal treatment has been achieved. Equivalently, for the young (16–24 years old) these figures are 5% and 3%, respectively. When asked whether the respondents had observed age discrimination related to salary, recruitment, career advancement or access to training, the figures echo the ones obtained for the previous question: older respondents have witnessed more discrimination based on old age (old women: 15%, old men 7%) than young people. For discrimination based on young age (young women: 19%, young men 14%) the figures of old and young respondents are reversed, as expected.

With regard to other respondent groups, people who act as employee representatives or have other trustee positions in the work place, or who have a chronic disease or disability, have observed more inequality based on old age and report more often that their supervisor has not treated aged personnel equally than other men and women (see Table 2, Q1 and Q3). Also, women seem to recognize discrimination more easily as women in all groups report more observations of inequality than men.

All in all, age, together with gender, seems to be the most frequently observed ground of discrimination. Based on this data, around 10% of the population has observed age discrimination in their organization or in the behavior of their closest supervisor. The figures for other grounds are found in Table A1 in Appendix A.

Table 2. Percentage of people who do not think that their supervisor treats aged personnel equally (Q1) and who have **observed** discrimination on the ground of young age (Q2) or old age (Q2) (Statistics Finland, 2008; Lehto & Sutela, 2008, p. 118 for whole sample in Q2 and Q3)

	Whole sample 2008, % (2003)[1997]			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representati- ves, %		Chronic disease / disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Q1	7	8^{aa}	6^{aa}	5	3	9	7	9	8	10	9*	10*	7
Q2	10	10	10	19^{***}	14	7*	8	7	10	11	11	11	12
	(8)[9]	(8)[8]	(9)[11]										
Q3	9	11	8	7*	3*	15^{**}	7	5	4	17^{***}	13^{***}	14^{***}	10*
	(8)[10]	(10)[11]	(6)[10]										
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

* = p < .05; ** = p < .01; *** = p < .001 when compared to the opposite group, for example 16–24 years old women to 25–64 years old women. aa = p < .01 when men and women are compared to each other. F=female; M=male. For opposite groups' figures, see Appendix A.

Q1: Percentage of people who disagree totally or somewhat with the statement that “my closest supervisor treats **aged** personnel equally”

Q2: Percentage of people who in their own organization have observed discrimination or unequal treatment related to salary, recruitment, career advancement or training based on **young** age

Q3: Percentage of people who in their own organization have observed discrimination or unequal treatment related to salary, recruitment, career advancement or training based on **old** age

The results of the union steward survey carried out by the Central Organisation for Finnish Trade Unions (N = 415 union stewards, representing about 100 000 workers) are in line with the results shown above. Of the respondents 11% had observed discrimination on the ground of age (Central Organisation of Finnish Trade Unions, 2008). Age was seen as the second most common ground for discrimination observed (health status including disability being the most common ground) (Central Organisation of Finnish Trade Unions, 2008). The survey did not, however, specify if the discrimination was directed towards young or old persons.

Besides observing and witnessing discrimination, the QWLS (Statistics Finland, 2008) also asked the respondents with two separate questions whether they have perceived discrimination towards themselves. First, the respondents who had observed discrimination in their organization were asked whether they personally had experienced unequal treatment on a certain ground. The results presented in Table 3 show that 10% of young women and 8% of young men perceived discrimination based on young age in their current job. Older women and men perceived somewhat less (7% and 3%, respectively) discrimination based on old age. We see that the level of perceived discrimination among both young women and young men (16–24 years) are significantly higher compared to other women and men (25–64 years old). This is the case also with persons of old age (55–64 years), for which the results are significantly higher when compared to those under 55 years of age. Still, as shown in Table 3, young persons report more experiences of discrimination than do old persons.

Again, women and people with chronic disease or disability reported experiences of age discrimination more often than men and the healthy, which may possibly be due to multiple discrimination. The low average of 2% of the whole sample is explained by the fact that the young and the old make up only 22% of the total sample and hence the answers of the middle-aged have a much greater influence to the sample average.

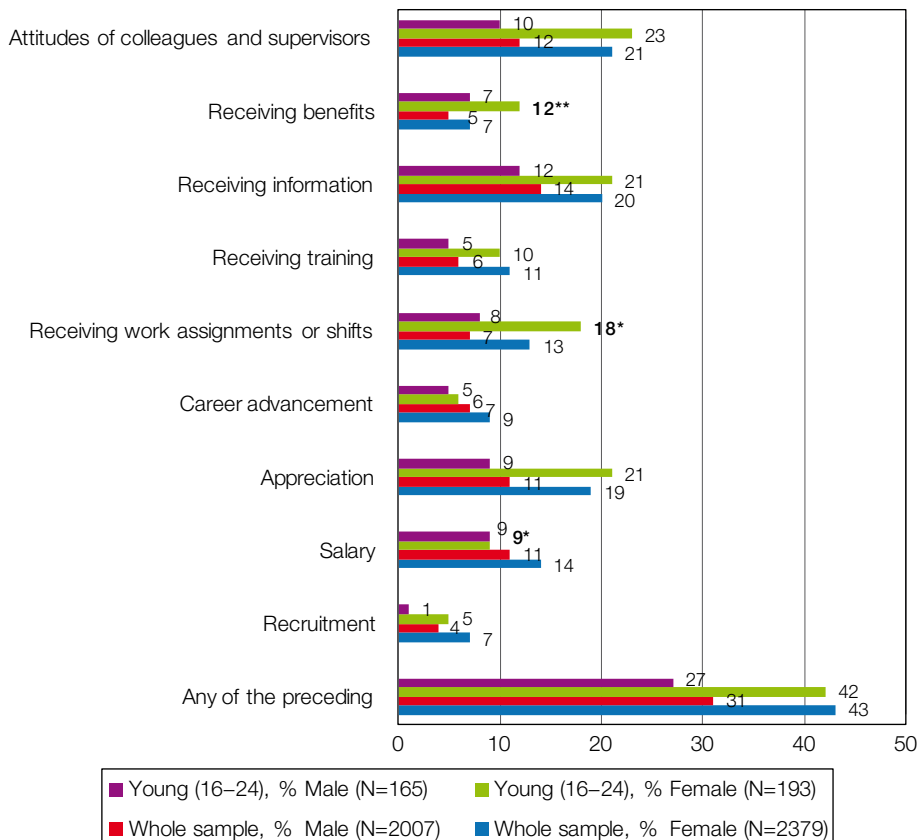
Table 3. Percentage of people who have **perceived** discrimination in their current organization on the ground of young or old age (Statistics Finland, 2008)

	Whole sample, %			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representatives, %		Chronic disease/disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Young age	2	3 ^a	2 ^a	10 ^{***}	8 ^{***}	0 ^{***}	0 ^{**}	3	2	3	1	2	1
Old age	2	2 ^{bb}	1 ^{bb}	0*	0	7 ^{***}	3 ^{**}	0	0	2	2	3 ^{**}	2*
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

* = p < .05; ** = p < .01; *** = p < .001 when compared to the opposite group, for example 16–24 years old women to 25–64 years old women. a = p < .05; bb = p < .01, etc. when men and women are compared to each other. F=female; M=male. For opposite groups' figures, see Table A3 in Appendix A.

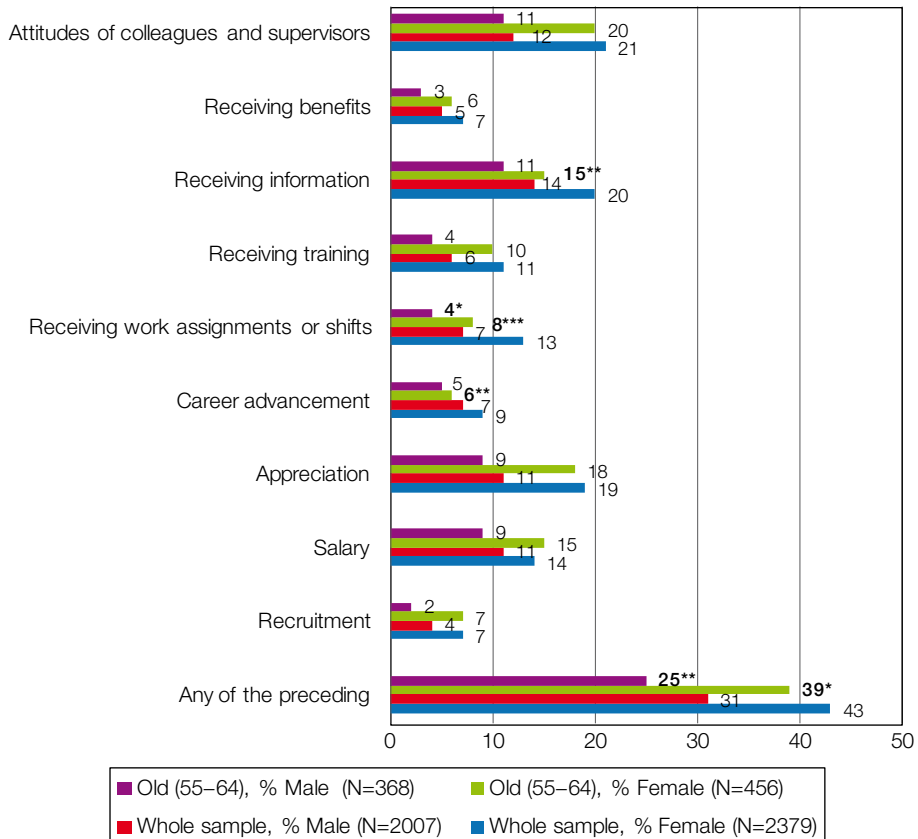
Second, all respondents in the survey were asked whether they had themselves faced (i.e., perceived) discrimination in their current job during the last five years in specific situations. As shown in Figures 1 and 2, the results of this question indicate more discrimination than those obtained with the more general question and displayed in Table 3.

Figure 1. Percentage of young people (aged 16–24) who have **perceived** discrimination or unequal treatment in their current organization related to the following situations during the last five years (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008, p. 118).



* = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example 16–24 years old women to 25–64 years old women. For further details and a comparison with other groups of respondents, see Table A2 in Appendix A.

Figure 2. Percentage of old people (aged 55–64) who have **perceived** discrimination or unequal treatment in their current organization related to the following situations during the last five years (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008, p. 118).



* = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example 55–64 years old women to 25–54 years old women. For further details and a comparison with other groups of respondents, see Table A2 in Appendix A.

The difference in the results of the two different questions displayed in Table 3 versus Figures 1 and 2 is explained by the functioning of human memory: very general questions like “Is there discrimination at your work place?” do not provide cues that would activate memories of specific events. Instead, defining the situation (recruitment, salary, etc.), time frame (last 5 years) or ground of discrimination (age, ethnicity, etc.) stimulates our memory and helps us to remember more. (Aalto, et al., 2010; Jasinskaja-Lahti, et al., 2002, 177; Lehto & Sutela, 2008.) Hence, the results shown in Figures 1 and 2 can be considered as more reliable.

When compared to the other groups of respondents, young and old men had the lowest average scores. Young and old women were closer to the average, perceiving

considerably less discrimination than women who act as employee representatives or who have a chronic disease or disability. Again, these results may possibly indicate multiple discrimination based on age, gender, acting as an employee representative and health status (see Table A2 in Appendix A).

We have also re-analyzed data from the QWLS 2008 related to well-being at work. On average, old respondents felt more satisfied in their job than all other groups (young, employee representatives, and people with chronic health problems or disability). Young respondents felt less satisfied than all other groups. (See Table A4 in Appendix A.) This means that, among the studied group memberships, age is the most decisive criteria affecting job satisfaction. The younger respondents are more frequently dissatisfied with the possibilities for their professional development, appreciation of their skills and the quality of their work duties. It is hard to tell whether this dissatisfaction is due to discrimination at work or whether younger workers just expect more appreciation and more interesting assignments than the old. (Statistics Finland, 2008.)

In another survey the respondents were asked how equally persons of different ages are treated at work (Work and Health Survey 2009, for details on the survey see Section 2.1.1.1). The same questions have been asked in 1997, 2000, 2003, 2006 and 2009 and thus provide for a comparison of the trends in labor discrimination. The formulation of the questions does not separate between observed or perceived discrimination at work, but can be regarded as covering both forms of discrimination. The respondents had four response alternatives regarding the equal treatment of persons of various ages; fully equally, somewhat equally, somewhat unequally or very unequally treated. In 2009, 8% were of the opinion that persons of different ages are somewhat or very unequally treated at work, which indicates that 8% have either observed or perceived discrimination on the ground of age. The results do not, however, separate between old and young age. In comparison to results from previous years, the level of somewhat or very unequal treatment of persons of various ages reached its peak with 8% in 2009. (Perkiö-Mäkelä et al., 2010, p. 203.)

The type of employment contract was the second most common “ground” for observed discrimination in the QWLS 2008. Equivalently, part-time or temporary work was the most common “ground” for observed discrimination in the Working Life Barometer 2010.¹⁴ This gives rise to the question; what groups of people are especially well represented among those with temporary contracts? In 2008 the results of the QWLS show, not surprisingly, that young people aged 15–24 are the ones with most temporary work contracts. Among young men (15–24 years), 29% were employed with a temporary contract, while the largest group of all temporary workers was young women with a total of 38% having temporary contracts. (Lehto & Sutela, 2008, p. 34.) In sum, young people – and especially women – are particularly

¹⁴ Note that these “grounds” are not prohibited grounds according to the legal framework against discrimination. However, the Employment Contracts Act does forbid applying inferior working conditions to employees with fixed-term or part-time contracts, although type of work contract is not a discrimination ground in the real sense of the word.

well represented among those with temporary contacts, which in turn is shown to be the “ground” for much observed discrimination. This can be taken to mean that young women are especially vulnerable to discrimination at work.

Despite the fact that the discussion on age discrimination in general has been gender neutral, according to research women face multiple discrimination based on sex and old age (Irni, 2010; Kouvonen, 1999; Ruoholinna, 2009; Trade Union for Salaried Employees Pro, 2011). Irni addresses the question from a feminist perspective and argues that there are certain links between age, gender and the unequal treatment of old women in working life (Irni, 2010). Kouvonen shows in her research that a typical victim of discrimination on the ground of high age is a 45–54 year old female blue collar worker employed in the private sector, who has a lower secondary level education. Among the interviewed females almost one fourth had perceived discrimination both on the grounds of old age and gender (Kouvonen, 1999, p. 91). As previously discussed, the QWLS shows similar results (Lehto & Sutela, 2008).

3.1.3 Discrimination in the termination of an employment

A much discussed issue related to discrimination of elderly persons is the unemployment route to retirement as a way of exiting the labor market. This system with extended unemployment benefits provides a stable income for the elderly unemployed, but the downside is that the system increases early withdrawal from the labor market. While intentionally planned to ease the situation for the unemployed old population, it seems to have turned into being one of the central factors upholding the high unemployment rate among the elderly as well as promoting early exit. However, a recent study shows that the pathway to retirement from unemployment seems to be used less frequently than before (Jauhiainen & Rantala, 2011). The study gives an overall view of the unemployment of the elderly and describes the labor market flows with a register-based data set on from 1995 to 2009 by the Finnish Centre for Pensioners and Statistics Finland. Pärnänen (2011) shows that attitudes towards older workers differ between occupational sectors. In the manufacturing industry the unemployment pathway to retirement was not as frequently used as earlier and enterprises were striving towards preventing early exits. However, when it comes to private sector service enterprises the extension of working careers had not yet gained priority. Still, in general, according to Pärnänen’s study, employees cannot freely choose whether to stay on at work or exit from work, as the exit is tied to tight institutional control and often the outcome of negotiations between the employee, employer and the local trade union. (Pärnänen, 2011).

A recent survey mapping the attitudes of both employees (N = 1000) and persons in decision-making positions (N = 200) towards older workers addresses the question of discrimination in termination by asking respondents whether they feel that employers try to get old employees to exit before they reach retirement age (Suomen Terveystalo, 2011).

Table 4. Persons agreeing with the statement that old employees are being pushed to exit before they reach retirement age, % (Adapted from Suomen Terveystalo, 2011)

	Totally agree	Somewhat agree	In between	Somewhat disagree	Totally disagree
Employees (N = 1000)	6	14	21	32	26
Persons in decision making positions (N = 200)	3	14	13	29	40

When comparing the answers of the two groups it becomes clear that employees more often than employers regard discrimination on the ground of high age to occur when terminating a contract. In total 20% of the employees totally or somewhat agreed with the statement that old employees are being pushed to exit before they reach retirement age, which can be interpreted as observing discrimination on the ground of old age.

Interestingly, despite the connection between discrimination on the ground of high age and gender, the QWLS shows that regarding exit from working life, in 2008 a higher percentage of men (18%) than women (10%) had exited work life through the unemployment route to retirement (Lehto & Sutela, 2008, p. 44).

When discussing age discrimination in the labor market the concept of *institutional ageism* becomes relevant. This form of ageism which is present in legal regulations, language, media and in societal structures in general is so evident that one might not even notice it (Vaahtio, 2003, p. 5). The commonly practiced unemployment route or pathway to retirement might be seen as an example of this. In workplaces where this system of pathway to retirement has been in use, the level of observed discrimination is higher than in other workplaces (Pärnänen & Kontiainen, 2007). Vaahtio argues that the labor market in general often forgets the diversity among elderly persons (Vaahtio, 2003). This is emphasized also by the survey carried out by the Trade Union for Salaried Employees Pro (2010) in which the problem of not taking individuals' capability to work and their individual motivation into consideration when terminating an employment is discussed. Therefore it would be extremely important not to cluster all ageing persons into one group, but to be aware of their individual differences.

3.1.4 Conclusion

In comparison to some of the other prohibited grounds in the NDA, several studies on labor discrimination based on age or research touching upon age discrimination have been carried out in Finland. There is clearly more research on labor discrimination towards old persons than towards young people. One problem in getting exact information on the level of age discrimination is that some of the sources do not

separate between young and old age. The available research results show that, in comparison to other prohibited grounds, age is one of the most reported grounds for discrimination in Finnish surveys on labor discrimination. However, when interpreting the results one needs to keep in mind that age as a ground is well represented in the sample (everyone has an age), in comparison to smaller minorities such as for example sexual minorities.

Based on data from surveys dealing with observed discrimination on the ground of age (both young and old), the level of observed discrimination seems to be almost ten percent (Central Organisation of Finnish Trade Unions, 2008; Statistics Finland, 2008; Perkiö-Mäkelä et al., 2010; Lehto & Sutela, 2008). Young employees seem to perceive more discrimination than do old persons (Statistics Finland, 2008; Lehto & Sutela, 2008, p. 117). Young employees also reported more dissatisfaction at work than did old employees in our re-analysis of the QWLS 2008 data (Statistics Finland, 2008). In 2008 higher figures of observed discrimination were reported based on young age than old age in the QWLS for the first time since the late 1990's (Lehto & Sutela, 2008). Furthermore, research shows indications of multiple discrimination against women on the ground of age. In our re-analysis, both young and old women had perceived more discrimination than did young and old men (Statistics Finland, 2008).

3.2 Ethnicity, nationality and language

The discrimination grounds mentioned in the Non-Discrimination Act which are treated in this section of the report are *ethnic*¹⁵ or *national origin*, *nationality* and *language*. Although distinct in the juridical sense, these grounds are thematically connected and often intertwined in practice. It might for example be difficult to distinguish whether an employee of immigrant origin is discriminated against because of her or his nationality or ethnic belonging. For the sake of the reader-friendliness of this report we do not continuously repeat all the grounds treated here. Instead, 'ethnicity' or 'ethnic origin' is used as a generic term to cover all the above mentioned discrimination grounds. However, whenever relevant, these discrimination grounds are singled out and mentioned separately. It is nonetheless important to keep in mind that in legal terms, ethnic or national origin, nationality and language constitute distinct discrimination grounds and are not to be legally confused with each other.

Within the realm of anti-discrimination research, policies and measures, ethnic or national origin has gained special prominence compared to most other

¹⁵ Defining the concepts of ethnic origin and ethnic group is not a straightforward matter. It is perhaps not surprising that no such definition is included in any Finnish law or statute, as it would be difficult to find an exhaustive definition.

discrimination grounds.¹⁶ National laws,¹⁷ ethnicity-specific policies¹⁸ and European Union directives¹⁹ provide a strong legal framework regarding discrimination on the ground of ethnic or national origin. Special monitoring bodies are in place at the European level (such as CERD, ECRI and FRA), as well as on the national level (such as the Ombudsman for Minorities and the National Discrimination Tribunal). Furthermore, ethnic discrimination has been the object of much attention in academic and other kinds of research, as well as in public debates. The Eurobarometer study of 2009 shows that discrimination on the ground of ethnic origin is seen as the most widespread form of discrimination among EU citizens. Out of the Finnish respondents, 72% thought that discrimination on the ground of ethnicity is fairly or very widespread in society, while 34% thought this to be the case with regards to language (Eurobarometer, 2009, pp. 60–61 and appendices).

In the Finnish context, when speaking of ethnic minorities, one might refer to old national minorities (such as Finnish Roma, Sámi or Swedish-speaking Finns) or immigrant groups. In practice, research on and policies against ethnic discrimination are often related to groups of immigrant origin. Finland is receiving growing numbers of immigrants, and also workplaces are increasingly multicultural. Estonians recently became the largest immigrant group in the country defined by citizenship. Estonians (29 080) and Russians (28 426) are the two clearly largest groups.²⁰ The following groups by size are Swedish, Somali, Chinese, Iraqi, Thai, and Turkish citizens. (Statistics Finland, 2011a.) The number of foreigners moving to the country has been on a steady rise (with the exception of small fluctuations) since the mid-1990's. The yearly amount of foreign citizens moving to Finland exactly doubled between the years 2000 and 2010, when the number was just over 18 000. (Statistics Finland, 2011b.) In the end of 2010, 3.1% of the population was foreign citizens. Over 220 000 had another language than Finnish, Swedish or Sámi as their mother tongue, making up 4.2% of the population. (Statistics Finland, 2011c.) The Work and Health Survey shows that roughly a third (30%) of Finnish employees had a foreign co-worker in 2009, compared to 26% three years earlier. Co-workers from abroad are most common in the education and industry sectors, and in the Southern and Western parts of the country. (Väänänen & Toivanen, 2010.) Statistics Finland data (Katainen, 2009) show that the most common jobs among people with a foreign background in 2006 were cleaner, salesperson and driver (presumably bus driver). Also the construction and restaurant sectors employ many foreign citizens.

16 Also gender (and age) has received much attention in anti-discrimination policies and research. However, in this report gender is not treated as a separate discrimination ground but is included only as a cross-cutting dimension.

17 Most notably, the Non-Discrimination Act, the Criminal Code and the Employment Contracts Act (see also Section 1.2).

18 A central document, which discusses ethnic labor discrimination among other themes, is the Action Plan to Combat Ethnic Discrimination and Racism (*Etnisen syrjinnän ja rasismin vastainen toimintaohjelma*) adopted by the Finnish government in 2001.

19 Most notably, the Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.

20 The most recent numbers are from the end of the year 2010.

Finnish authorities regard ethnicity as sensitive information, and therefore do not include it in official registers (Personal Data Act 1999/523). This necessitates the use of other indicators which are available. These include citizenship, country of birth, mother tongue and parents' country of birth. When using the latter two, also second generation immigrants²¹ can be identified. But even when no registered data indicates membership in a minority group, ethnic discrimination may occur. The most evident group facing discrimination while being next to invisible in official registers is the national Roma minority. Finnish Roma are national citizens born in the country and speak Finnish as their mother tongue. Exact information on the size of the national Roma minority is impossible to obtain due to the above mentioned reasons. Common estimations place the number of Finnish Roma between 10 000 and 12 000 (Syrjä & Valtakari 2008, p. 23). Although considerably better integrated into mainstream society than many other Roma groups (for example in Eastern Europe), Finnish Roma still face socio-economic challenges which are partly due to discrimination by majority members. It is recognized that one of the main challenges of this group is unemployment, although unemployment figures are naturally also unavailable.

With regards to the integration of immigrants into Finnish society, employment is among the most central factors (Jasinskaja-Lahti et al., 2002, p. 22). Experiences of discrimination in the labor market considerably affect immigrants' psychological well-being and quality of life (Jasinskaja-Lahti et al., 2007), in addition to hindering economic advancement. The unemployment rate for non-citizens in Finland declined throughout the first decade of the century, until it reached its lowest point in 2008 at just above 19%. After the economic recession in 2008, the trend was reversed and the rate rose rapidly. According to estimates made by the Ministry of Employment and the Economy, the unemployment rate for foreign citizens was 28.6% in the end of the year 2010, compared to 7.9% of the entire population. A foreign citizen is thus over three times more likely to be unemployed than a Finnish citizen. Needless to say, all divergence between employment figures for natives and immigrants cannot be ascribed to discrimination. But the figures show that foreign citizens are those who were most affected by the economic downturn of 2008. (Ministry of Employment and the Economy, 2011, p. 5.)

One circumstance which makes research on ethnic discrimination in the Finnish labor market difficult is the fact that large-scale immigration is such a recent phenomenon. Researchers often prefer second-generation to first-generation immigrants as the subjects of studies, as the risk for disparity in competence – which in some cases justifies preferring a native for example in recruitment – is thus minimized (Forsander, 2002a). A notable second-generation immigrant population is only now emerging in Finland.

21 The term 'second-generation immigrant' refers to someone who is born in the country, but has one or two foreign-born parents. Second-generation immigrants often hold citizenship in the country in question, and differ little from the majority population when it comes to education and proficiency in the national language. (Some definitions also include those who immigrated as infants.)

3.2.1 Discrimination in recruitment

Respondents to the Eurobarometer surveys have been asked which factors they believe might put a candidate at a disadvantage when a company has a choice between employing two equally skilled and qualified candidates. Ethnic origin/skin color was assumed among the EU-respondents to be the third most significant factor affecting the employer's decision; 38% of all respondents in 2009 identified this factor as probably significant. Only "look, dress-sense or presentation" and age were ranked higher. Ethnic origin/skin color was ranked higher in Finland than in EU countries on average; over half of the Finnish respondents thought these factors might affect the employer's decision; 52% in 2009. Finns were below average when ranking the importance of "the candidate's way of speaking, his or her accent". The EU average was 30% and among the Finnish respondents it was 24%. (Eurobarometer, 2009, appendices.) The fact that the category was not defined as language proficiency, but as accent and way of speaking, might explain why the figure is lower for Finland than the EU average. Because the number of Finnish-speakers is so low in a European perspective and as Finnish is a relatively difficult language to learn, speaking the language in the first place might be more relevant than the accent for the Finnish respondents. The Eurobarometer results thus indicate that both national and EU-citizens believe discrimination on the grounds of ethnicity and language to occur in recruitment situations. But the figures obtained by asking this question do not necessarily elucidate the level of discrimination, as high percentages might indicate awareness and discrimination sensitivity rather than de facto discrimination. More precise information on de facto discrimination can be obtained by studying the experiences of those allegedly subjected to this kind of discrimination.

One such victim study was carried out by Jasinskaja-Lahti, Liebkind and Vesala (2002) in 2001 with over 3500 respondents; an exceptionally large sample in the Finnish context. The seven largest immigrant groups in the country, defined by mother tongue and country of birth, were studied; Russians, Estonians, Somalis, Arabs, Vietnamese, Albanians from Kosovo and Ingrian Finns. A similar survey was carried out in 1997, but it was not nation-wide (Jasinskaja-Lahti & Liebkind, 1997). In 1997, only young adults 20–36 years of age in the capital area were included (N = 1146), whereas the 2001 sample was both much larger (N = 3 595) and broader (18–64 year olds), in addition to being nation-wide. In addition, Turks were included only in 1997 and Albanians only in 2001.

Table 5. Immigrants who perceived discrimination at work due to their foreign origin (out of those who had applied for a job/been employed)

Context	All groups				Russians				Estonians				Ingrian Finns			
	1997		2001		1997		2001		1997		2001		1997		2001	
	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)
Recruitment	46	403	50	1350	45	88	51	193	40	68	35	205	34	44	46	259
Advancement	25	180	24	573	17	22	27	79	18	29	20	108	20	18	18	88
Termination	9	63	6	173	5	6	4	13	6	10	5	6	10	9	3	17
Bullying	33	239	31	800	26	33	30	106	22	34	27	159	33	31	29	155

Context	Somalis				Vietnamese				Arabs				Turks		Albanians	
	1997		2001		1997		2001		1997		2001		1997		2001	
	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)	%	(N)
Recruitment	44	30	81	155	41	36	49	180	66	73	64	221	56	63	48	137
Advancement	27	14	41	69	28	24	18	59	40	39	37	103	33	34	26	68
Termination	12	5	21	35	1	1	5	18	11	17	14	42	14	15	10	24
Bullying	23	11	43	78	28	26	27	95	48	48	44	129	53	56	31	76

Adapted from Jasinskaja-Lahti, Liebkind and Vesala (2002) and Jasinskaja-Lahti & Liebkind (1997).

The results from the 2001 survey showed that out of the immigrants belonging to one of the seven studied groups and who had applied for a job in Finland, 50% felt they had encountered recruitment discrimination at least once.²² Somalis and Arabs reported most discrimination among the studied groups (81% and 64%, respectively), while Estonians reported least (35%). Out of the Russian respondents just over half reported experiences of recruitment discrimination. Most reported this to have happened at least once during the previous 12 months. (Jasinskaja-Lahti et al., 2002, pp. 86–88.) A small-scale survey (N=24) among Russian-speakers carried out by the Ombudsman for Minorities (2010a) shows similar results, as roughly half of the respondents had perceived discrimination in recruitment on the grounds of nationality and/or language.

In addition to diverging sample sizes, one also needs to note that factors such as age, gender, area of residence and education have *not* been controlled for in Table 5. At any rate, it seems that recruitment discrimination has not decreased in the four years between the surveys. In 1997, 46% of the respondents felt they had been discriminated against because of their ethnic origin when applying for a job. The percentage of Somalis who felt they had been discriminated against was almost double in 2001 (81%, N = 155) compared to that of 1997 (44%, N = 30). In both surveys, Arabs had perceived much discrimination (66% in 1997 and 64% in 2001) while Estonians reported least discrimination (40% in 1997 and 35% in 2001). For the

22 The percentages for the combined category "all groups" is weighted according to the sizes of the different immigrant groups in the country.

Russian respondents, a slight increase in perceived recruitment discrimination seems to have occurred (from 45% to 51%). (Jasinskaja-Lahti et al., 2002; Jasinskaja-Lahti & Liebkind, 1997.) However, the fact that the sample was different and considerably smaller in 1997 than in 2001 demands caution when comparing the results. The two surveys do not constitute a longitudinal study, although some comparisons are possible.

Special caution is needed when interpreting the results for the Somali group. Firstly, the response rate among Somalis was lower than for the other studied groups (27% compared to the average of 52%). This may be due to the larger proportion of people with modest educational background, which in turn may lead to an underestimation of the discrimination faced by Somalis. Those with the lowest education may be most discriminated against but at the same time unable to reply to a survey of this kind. Overall, victim studies may over- or underestimate the amount of discrimination, as what is studied are subjective experiences (see also Section 2.1.1).

The 2009 European Union Minorities and Discrimination Survey (EU-MIDIS) included Somali (N = 484) and Russian (N = 562) respondents from Finland, but showed lower discrimination figures than Jasinskaja-Lahti et al. (2002). Forty-one percent of the Somalis living in Finland had perceived discrimination when applying for a job within the past five years, as well as a quarter of those of Russian origin (but not necessarily citizenship) (FRA, 2009, p. 92 and 182). The diverging figures might be due to methodological differences²³ or to de facto decrease in discrimination during the eight years between the surveys.

Also Pohjanpää et al. (2003) have showed that a substantial amount of ethnic discrimination occurs in recruitment. They used data from a survey made among four immigrant groups regarding their living conditions (*maahanmuuttajien elinolotutkimus*, N = 1361) carried out by Statistics Finland in 2002. The studied groups were Russians (N = 312 for the relevant question), Estonians (N = 158), Somalis (N = 177) and Vietnamese (N = 98). This study was done very close in time to that of Jasinskaja-Lahti et al. (2002). Both studies indicate that Somalis had perceived most recruitment discrimination. However, the percentages of those who had perceived recruitment discrimination are somewhat different in Pohjanpää et al. (2003, p. 72); Somalis 72% (compared to 81% in Jasinskaja-Lahti et al.), Russians and Estonians 43% (compared to 51% and 35% respectively) and Vietnamese 26% (compared to 49%), when excluding the 'don't know'-answers. One reason for the diverging figures might be that Pohjanpää et al. only included those who had applied for a job within the past three years, while Jasinskaja-Lahti et al. did not use such a restriction. Pohjanpää et al. (2003) also found multiple discrimination against old Russians who had perceived significantly more discrimination than young Russians.

23 In the EU-MIDIS survey an interviewer visited respondents' homes and the questionnaire was answered in Finnish, whereas Jasinskaja-Lahti and colleagues used a mail questionnaire presented both in Finnish and in the minority language.

Timo Jaakkola (2000) studied immigrants' perceptions of access to and conditions in the Finnish labor market using survey and interview data at the turn of the century. The groups included were partly the same as those studied by Jasinskaja-Lahti et al. (2002) and Jasinskaja-Lahti and Liebkind (1997) but the sample was considerably smaller (N = 301). When the respondents were asked what they believed that had hampered their finding employment, 65% identified their foreign origin as a very or rather important factor. (Jaakkola 2000, p. 61.) However, ethnic origin was not believed to be the foremost reason for not finding employment, as other factors such as competitiveness in the labor market were ranked higher. Out of the Russian respondents over half thought that their foreign origin was the foremost factor hindering employment, although only 14% believed this affected their chances of employment "very much". Over 60% of the Roma female respondents reported that the traditional Roma dress had hampered their chances for getting employed (ibid., p. 53).

Although only indirectly linked to actual discrimination²⁴, majority attitudes are commonly used as an indicator of discrimination tendencies in society. Magdalena Jaakkola (2009) studied Finns' attitudes towards immigrants with interview data collected in 1987, 1993, 1998, 2003 and 2007, including over 1000 respondents each year and representing the entire Finnish population. The results show that economic downturns (especially the recession in the early 1990's) affect the attitudes negatively, although the overall trend is towards more positive attitudes. When asked whether Finland should receive more or less job seekers from abroad in 2007, 73% either thought that the current amount was good or that it could be increased (Jaakkola, 2009, p. 22). There has been a marked amelioration of attitudes since the lowest point in this comparison, which was in 1993. The proportion of those who explicitly welcomed more foreign job seekers ("a little bit more" and "much more" combined) follows the same pattern, with a plunge to 14% in 1993 and then gradually increasing to 38% in 2007. Attitudes are most positive amongst inhabitants in urban areas, highly educated, those in leading positions and those with personal contacts with immigrants (Jaakkola, 2009, p. 25-29). Although Jaakkola's results show an amelioration of attitudes, however, a comparison with the results obtained by Jasinskaja-Lahti & Liebkind (1997) and Jasinskaja-Lahti et al. (2002) does not provide evidence for decreased experiences of recruitment discrimination among immigrants themselves.

Forsander (2002b) studied the positioning of immigrants in the Finnish job market using data from the employment administration register of job seekers (*URA-tietokanta*) and Statistics Finland (*Tilastokeskus*). Although the study was not aimed at discrimination specifically, some of her results indicate that recruitment discrimination does occur. Based on tables attached to Forsander's study one can conclude that country of origin is a statistically significant factor affecting the

24 As outlined in Section 2.1.1, causality between attitudes and concrete action has not always been found.

chances for employment, even when controlling for other factors. Origins in an African or a refugee-producing country was the factor most clearly linked with long-term unemployment; its effect even overrode that of level of education and in which country the education was obtained. This means that someone with a refugee background and a Finnish education was less likely to be employed than a person from a non-refugee producing country with the same education.

Also an earlier study by Forsander using register data (Forsander & Alitolppa-Niitamo, 2000, pp. 16-17) showed that refugees (especially Iraqis and Somalis) and immigrants from the former Soviet Union (except for Estonians) had lower employment levels at the end of the 1990's than their proportion of job seekers in the *URA-tietokanta* register would imply. The results from Joronen's study (2005), likewise based on register data, indicates the same tendencies; those with a refugee background have a weaker status on the labor market than other immigrants. This may be partly due to recruitment discrimination, although other factors such as social contacts and other characteristics related to human capital might have come into play. But there does seem to be a preference among employers for immigrants from neighboring countries and Europe rather than from further away, as shown for example by Laakso et al. (2006). The results of their interview survey among representatives of companies in the capital area (N = 200) show that, among those companies who reported a preference regarding the country of origin of an immigrant they would hire (most did not), immigrants from neighboring and European countries were more wanted than someone from outside the EU. These results are in line with the concept of ethnic hierarchy, according to which collective understandings of an ethnic ranking-order exist in society, whereby certain ethnic groups are met with more positive attitudes than others (see, e.g., Hagendoorn, 1993). Often the attitudes grow harsher with geographic and cultural distance. Also historical reasons come into play. For example, the results of the attitude surveys by Jaakkola (2005) point to an ethnic hierarchy according to which Western Europeans and those with Finnic origin are ranked higher than for examples Africans and Russians (although attitudes towards the latter have improved).

In some ethnic groups, such as the Somalis, the Vietnamese and those from the Middle East, women were much less likely to work than men (Forsander, 2007, p. 328). Joronen (2007) shows the same; immigrant women – especially Muslim women – are less likely than any other group (native or immigrant women or men) to be employed, regardless of education. This may possibly be due to multiple discrimination against immigrant women (based on gender and ethnicity), but cultural characteristics may influence these results. The larger number of children in immigrant families (compared to the average Finnish family) ties many immigrant women to the home and keeps them outside the labor market.

The study made by Ahmad (2005) using participatory observation also sheds light on immigrants' difficulties in obtaining employment. Ahmad himself applied for 400 jobs, out of which only 28 led to an interview and six to a job offer.

However, it was not an experimental study as there was no control group. It is thus impossible to draw conclusions regarding recruitment discrimination based on these numbers alone. However, in some cases where the employer said the position was already filled, a Finnish person called and inquired about the position ten minutes later. Discrimination had demonstrably occurred in over half of these cases, as the employer told the Finnish caller that the position was still open in 14 out of 25 cases.

The nation-wide QWLS has included a question on recruitment discrimination twice; in 2003 and 2008 (Lehto & Sutela, 2008). To elucidate the level of discrimination based on ethnicity, we re-analyzed the data and separated the answers of people whose parents (or at least one of them) were born abroad (see Section 2.1.1.2 for more details). The respondents were asked whether they had faced (i.e., perceived) discrimination or unequal treatment in their current organization related to recruitment during the last five years. The 2008 results show that 5% of both men and women of foreign origin had perceived discrimination in recruitment (see Figure 3 on page 64). This figure is close to the average of all respondents and much lower than in other research, such as the victim study by Jasinskaja-Lahti et al. (2002). This is probably explained by the formulation of the question, asking whether recruitment discrimination was perceived in the *current* organization (see also Section 2.1.1.2). Interestingly, the difference of women perceiving more discrimination than men (which is significant for the sample as a whole) is not seen in the answers of the respondents of foreign origin. Hence, the analysis does not indicate multiple discrimination based on ethnicity and gender.

Syrjä and Valtakari (2008) have studied the position of Roma in the Finnish labor market. The study includes a survey directed at respondents from the following groups; job-seeking Roma, contact persons for Roma at the employment administration, as well as employers in the private sector. The researchers stress that a certain distortion may have occurred in the sample selection ($N = 152$) as it is presumably the most active Roma who returned the questionnaire in the first place (Syrjä and Valtakari, 2008, p. 21). It also needs to be stressed that not all Roma registered as job seekers could be reached, as official registers do not include data on ethnicity. The respondents were identified by searching in a register of job seekers maintained by the employment administration for surnames which are typical among Finnish Roma.

The presumed effect of negative attitudes against one's own ethnic group was more prominent in Syrjä and Valtakari's study than among the immigrant groups in the study carried out by Timo Jaakkola (2000). The Roma who returned the questionnaire believed negative attitudes against their own ethnic group to be the foremost obstacle to employment. Almost 80% saw it as a fairly or very serious obstacle. In an open-ended question on the reasons for not getting a job applied for, roughly 40% reported that discrimination might have been one reason. (Syrjä & Valtakari, 2008, pp. 65–71.) However, the share may have been even higher had the

question been structured instead of open-ended. Syrjä and Valtakari's results are very close to those of the EU-MIDIS (Roma N = 3510) showing that on the European level, 38% of Roma in the studied countries believe they have been discriminated against in a recruitment situation during the previous 12 months (FRA, 2009).

Syrjä and Valtakari (2008) were the first to do a comprehensive attitude survey regarding employment of Roma persons among potential Finnish employers. When the employers were asked whether they would be willing to employ a Roma with sufficient education and skills, 57% answered affirmatively. A third was unsure of whether they would hire a qualified Roma and 12% explicitly stated that they would not. Large companies and those situated in the capital area and Eastern Finland displayed more positive attitudes than the rest. Companies in the industry, construction and service sectors were most willing to employ a Roma person. There was more reluctance in the trade sector. Roughly a tenth of the 306 companies studied had previous experience of hiring Roma, and these were also more willing to do so again. Roughly a fifth of the employers (22%) thought that hiring a Roma person would have a negative effect on the work community and image of the company, while two thirds thought the effect to be neutral. Only 6–7% believed that hiring a Roma person would have a positive impact. (Syrjä and Valtakari, 2008, pp. 73–83.)

In a study by Ala-Kauhaluoma and Härkäpää (2006), the same question was posed to employers in private companies (especially in the service sector) but with regards to other groups in a weak labor market position. Hiring an immigrant was regarded as harmful to the working community or image of the company by roughly the same proportion of employers (19%) as regarding the Roma in Syrjä and Valtakari's study (2008). Fourteen percent thought that hiring an immigrant would have a positive impact, while 67% did not think there would be a difference. When asked to rank various weakly employed groups, employers displayed a preference for hiring a young person without vocational training or a long-term unemployed rather than someone with an immigrant background. (Kauhaluoma & Härkäpää, 2006, pp. 43–53.) But not only negative attributes are associated with hiring immigrants. Rintala-Rasmus and Giorgiani (2007) reported that employers listed improvement of the image of the company, linguistic and cultural competence as well as the positive attitudes of immigrant employees as benefits of a multicultural workforce. Also in another study (Laakso et al., 2006), representatives of companies in the capital area believed hiring immigrants would bring benefits such as language skills, labor replacing those retiring, new know-how and diligence.

3.2.2 Discrimination at work

We have in our re-analysis of the QWLS data (see Section 2.1.1.2) separated the answers to certain questions of respondents with at least one foreign born parent. In addition, two survey questions directly addressed discrimination. Respondents were

asked whether they had observed discrimination/unequal treatment on various pre-defined grounds at their workplace, and whether they themselves had been subjected to discrimination. A question on discrimination based on nationality and skin color was included in 2003 and in 2008. In 2008, a question on maltreatment due to lacking skills in Finnish or Swedish was also added.

The published results from the QWLS 2008 (Lehto & Sutela, 2008) show that 4–6% of all employees had observed ethnic discrimination at their workplace (based on nationality/skin color or language skills). In 2008, 9% of the respondents who had people of foreign background working in the organization disagreed with the statement “In my work place, employees of foreign origin are treated equally”, while slightly less than 80% somewhat or totally agreed. (Lehto & Sutela, 2008, p. 91; see Table A6 in Appendix A). Our re-analysis shows that out of those with a foreign background, 37% of the women and 29% of the men had perceived unequal treatment in their current workplace.

Before presenting these results in more detail, it needs to be emphasized that the amount of respondents with a foreign background is much smaller (a little more than 100 persons) than for the other groups singled out for this re-analysis, which compromises the amount and type of conclusions which can be drawn based on this sample. Many of the differences to the opposite group (e.g., foreign men compared to native men) are not statistically significant. As the survey questionnaire was in Finnish, there is also a risk of distortion as those immigrants who speak Finnish fluently were probably more likely to take part in the survey than those who do not. The sample included here can thus not be seen as representative of the entire immigrant population (working or not) in Finland.

Table 6. The percentage of people who in their own organization have **observed** discrimination or unequal treatment related to salary, recruitment, career advancement or training based on ethnicity and language skills (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008)

	Whole sample 2008, % (2003)			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representa- tives, %		Chronic disease/ disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Nationality or skin color	4 (3)	5 (4)	3 (3)	5	3	3	4	9	4	4	3	6*	7*
Language skills in Finnish (Swedish)	6	6	5	9	4	6	6	21***	4	8	10**	8	8*
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example foreign born women to native women. For opposite groups' figures, see Table A1 in Appendix A.

Table 6 shows the results for a question asking whether respondents had observed unequal treatment related to salary, recruitment, career advancement or training on

the grounds of nationality/skin color or Finnish/Swedish language skills. Out of all employees, 4% had observed unequal treatment on the ground of nationality/skin color and 6% on the ground of language skills (see also Lehto & Sutela, 2008, p. 118). There was no considerable change compared to the 2003 survey with regards to nationality/skin color, when 3% of all respondents had observed unequal treatment on this ground. No comparison to earlier results is possible regarding language skills as these were first included as a category in 2008.

The fact that more unequal treatment was observed on the ground of lacking language skills than nationality/skin color might be due to the different character of these two discrimination grounds. Lacking language skills may constitute a concrete obstacle for carrying out certain tasks while nationality/skin color does not.²⁵ Also the results of the Diversity Barometer carried out within the MONIKKO research project shows that language skills enabling problem-free communication is regarded as more important than ethnic origin among staff managers in the private and municipal sectors (N = 449). In focus group interviews carried out as a part of the same study, fluency in the Finnish language was emphasized by the respondents as the most central aspect related to ethnic diversity at the workplace (Haapanen, 2007, p. 24).

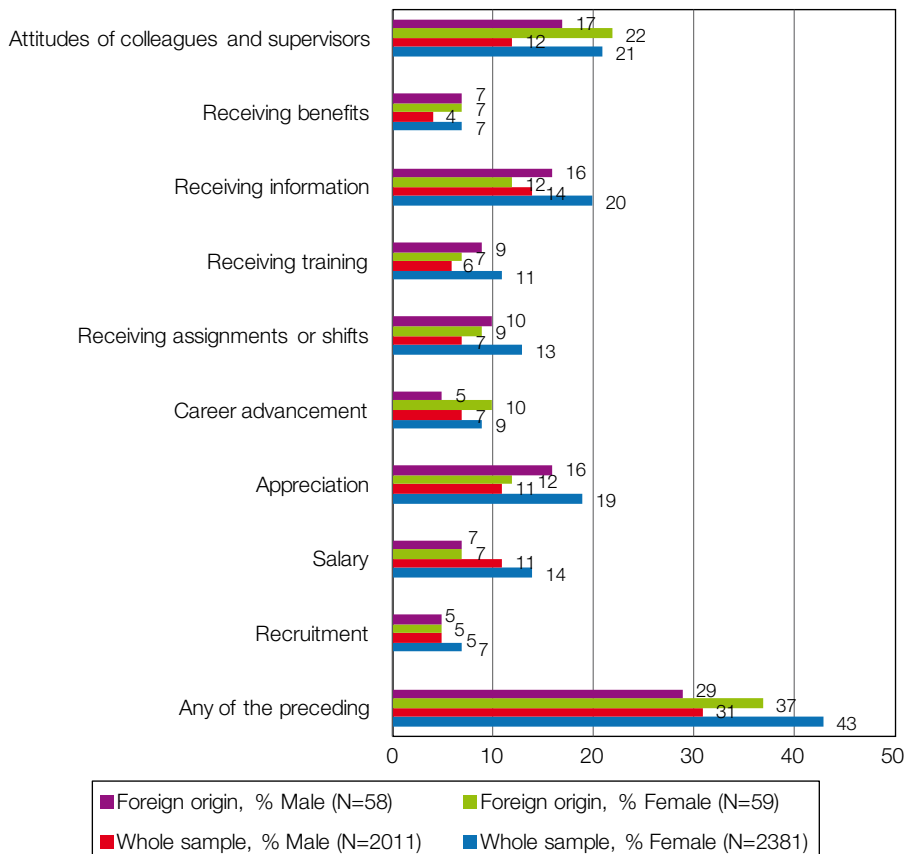
When looking at the QWLS results separately for each respondent group, we see that those belonging to minorities themselves report having observed more discrimination than the results for the sample representing the whole population would imply. Out of those respondents who had another language than the official ones as their mother tongue, 13% had observed language discrimination at work. For Swedish-speakers, the proportion was 8% and for Finnish-speakers 5%. In the question on observed ethnic discrimination at work, 7% of ethnic minority members (men and women alike) had identified this kind of discrimination compared to 3% of majority members. (Lehto & Sutela, 2008, p. 117.) In addition, 9% out of ethnic minority women had observed discrimination based on nationality/skin color and 21% based on language skills (only in the latter is there a significant difference to native women, see Table 6). This pattern is in line with other studies showing that members of minorities more easily spot discrimination faced by their own in-group (Eurobarometer, 2009) than do majority members. Also the fact that men acting as employee representatives and men as well as women with some chronic disease reported having observed more discrimination based on language skills and nationality/skin color than majority members supports the idea that minority members more easily recognize discrimination, even when it affects other groups than their own in-groups. However, for unknown reasons, the same pattern is not found among men with a foreign background, only 4% of whom have observed

25 In cases where the reason for unequal treatment (e.g. in training or career advancement) is lacking language skills which are de facto hindering the successful carrying out of work tasks, then the argument that the treatment was discriminatory may not hold. However, we can only speculate over the "real reasons" for the reported unequal treatment based on language skills, and whether or not discrimination in the sense established in the NDA has, in fact, occurred.

discrimination on the grounds of nationality/skin color as well as language skills. It is difficult to say why there is such a difference in the percentage of women and men who have observed discrimination based on language skills. Could it be that the occupations typical for women of foreign origin concentrate more on customer service and care, and hence require more advanced language skills than male dominated occupations?

When compared to other grounds for discrimination in the survey, discrimination due to nationality/skin color (4%) and language skills (6%) are somewhat less frequently observed than discrimination due to high or low age (9-10%) and discrimination against women (7%). However, it is very important to note that this difference is explained by the low number of members of ethnic minorities in the workforce; discrimination against representatives of ethnic minorities is not much noticed because there are (still) so few of them in Finland. This is why a weighted sample for small demographic groups would be very good in surveys directed at the entire population. For example, the percentage of women with foreign background who have observed discrimination based on language skills is 21 and hence the highest figure of all groups and all discrimination grounds (see Table A1 in Appendix A for a comparison with other grounds).

Figure 3. Percentage of people with foreign origin who have perceived discrimination or unequal treatment in their current organization related to the following situations (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008, p. 118).



When compared to the opposite group, for example foreign born women to native women, no differences were statistically significant. For further details and a comparison with other groups of respondents, see Table A2 in Appendix A.

Figure 3, presenting re-analyzed QWLS data, shows that unequal treatment in the current workplace had been perceived by 37% of women and 29% of men with a foreign background (in “any of the preceding” situations). Discrimination was most frequently perceived in the attitudes of colleagues and supervisors, in receiving information and in receiving appreciation of one’s work. However, it is important to note that none of the differences to native men and women were statistically significant, and the results thus need to be interpreted with caution. However, it is noteworthy that the re-analyzed data shows that also ethnic majority members seem to perceive much discrimination (naturally other forms of discrimination than ethnic discrimination might have occurred). The figures for the whole sample, of which the

large majority consists of Finnish people, are in the same range as for the employees with a foreign background. Another study, the immigrant living conditions survey carried out by Statistics Finland, shows that in some contexts Finnish employees perceived even more discrimination than immigrants (Sutela, 2005). Sutela used the QWLS data from 2003 as a point of comparison and her results indicate that out of the groups included in the immigrant survey, the Vietnamese had perceived less discrimination at work than all other groups, and even less than Finns. Pohjanpää et al. (2003), using data from the same survey, showed that roughly every third (35% calculated from Pohjanpää et al. 2003, figure 9.3 on p. 72) of the studied immigrants had perceived discrimination at work. The Somalis again perceived most discrimination and the Vietnamese least. However, the only statistically significant difference between genders and age groups found by Pohjanpää et al. was that Russian men had perceived significantly more discrimination than Russian women in receiving information and assignments or shifts.

Our re-analysis shows that out of all groups consisting of male respondents, those with at least one foreign born parent were most pessimistic about gender equality at work: 11% think that their supervisor does not treat men and women equally and 6% answered that gender equality has materialized badly at their work place (no significant results were obtained for females; see Table A5 in Appendix A). In addition, men with foreign born parents had observed significantly more discrimination (7%, see Table A1 in Appendix A) based on their gender than all other men. With regard to other prohibited grounds these men had observed discrimination as frequently as other men (*ibid.*). However, no man with a foreign background had perceived discrimination on the ground of gender directed at himself (see Table A3 in Appendix A).

On average, the respondents with at least one foreign born parent felt as satisfied with their job as the respondents with native parents (see Table A4 in Appendix A). Just like other respondents, they felt most dissatisfied with their possibilities to influence at work and with possibilities for their personal development. They were most satisfied with the appreciation of their skills, only 5% reporting being dissatisfied (compared to 10% among native respondents). Out of women with a foreign origin, 13% had perceived harassment or inappropriate behavior at work at least once a week or twice a month, significantly more than native women (6%). Only three percent of foreign origin men, as well as other men, reported similar experiences (see Table A9 in Appendix A). As was the case with the entire population, the largest part of the employees with a foreign origin thought their salary was fair or slightly less than it should be (see Table A8 in Appendix A).

Also Sutela's results (2005) from the analysis of the immigrant living conditions survey data indicate that some immigrant groups are largely satisfied with their wage. Russian (19%) and Estonian employees (16%) had perceived more wage discrimination than Somalis (9%) and Vietnamese (7%). Although Somalis had the lowest mean wage among the studied groups, they thought their wage was fair

more often than did Russians and Estonians. Also the Vietnamese seemed satisfied with their wage. As previously mentioned, Finnish employees also reported high levels of discrimination, in some cases more than the immigrants. For the Finnish respondents we do not know what the discrimination ground is, and even for those with a foreign background it was not always the background that was believed to be the reason for maltreatment. A tenth of the Somalis and the Russians who had perceived discrimination, as well as a sixth of discriminated Estonians, reported that the foreign background had nothing to do with the discrimination experiences. In addition, the majority of the studied immigrants had not experienced labor discrimination (at least not in the contexts listed in the survey), between 66 and 76% had not perceived any discrimination. (Sutela, 2005, p. 98–101.)

Another comprehensive study, The Working Life Barometer (see also Section 2.1.1.1) carried out yearly by the Ministry of Employment and the Economy (N = 1053 in 2010), shows that the observed level of ethnic discrimination has constantly been growing in the private service sector since 2001. In 2010, nearly 8% of the respondents in this sector believed this kind of discrimination occurred in their work place. In contrast, the trend is declining in the industry and municipal sectors (just under 7% in the former and just under 6% in the latter). The survey question also includes recruitment, but the largest part of the given examples has to do with conditions at the work place (pay, advancement, access to training) and therefore the results are described in this section dealing with discrimination during the employment. Judging by the responses to the Working Life Barometer 2010 the industrial sector had most immigrant employees (44% of the respondents said they had foreign co-workers) and the private service sector least (36% had foreign co-workers). (Ylöstalo & Jukka, 2011.)

The Work and Health Survey (N ≈ 700 in 2009 for the relevant question) shows a more positive image, as only 2% of those who had foreign co-workers thought these were treated unequally. Most unequal treatment was observed in the fields of accommodation and restaurant (5%). In 2009, 69% of the respondents thought foreign employees were treated completely equally to native ones. This was ten percentage units more than in 2006, indicating decreased observed and/or witnessed discrimination in the work place. (Väänänen & Toivanen, 2010.) The differing results comparing to the Working Life Barometer may be explained by diverging levels of detail in the formulation of the questions. While the Work and Health Survey asked “are immigrants treated equally to other employees at your work place?” (with four reply options in addition to “No answer” and “Don’t know”), the Working Life Barometer gave examples of where discrimination might occur. As described in Section 2.1.1, more detailed questions tend to produce higher rates, as examples and definitions help respondents to identify and/or remember relevant situations. On the other hand, the latter survey only offers the reply options “yes”, “no” and “don’t know”. The most informative results would be obtained by combining detailed questions with more nuanced reply options than yes/no.

The EU-MIDIS results show that out of Somalis in Finland with a job, 27% had perceived discrimination at work within the past 5 years (FRA, 2009, p. 92). Among Russians, 17% had perceived discrimination at work (FRA, 2009, p. 182). As was the case with recruitment, Jasinskaja-Lahti et al. (2002) reported lower figures of discrimination at work for these two groups than did the FRA (2009). Furthermore, compared to the EU-MIDIS survey, the questions were more specific in the victim studies by Jasinskaja-Lahti et al. (2002) and Jasinskaja-Lahti and Liebkind (1997); two questions related to the conditions at work were included – one on advancement and one on offense/bullying. As reported in Table 5, little change occurred between 1997 and 2001 when looking at all groups together. In both years, a fourth of the respondents thought they had been disregarded when seeking to advance, while roughly a third felt they had been harassed because of their foreign origin. (Jasinskaja-Lahti et al., 2002, pp. 87–88). As is the case with regards to recruitment, Somalis had perceived most discrimination in advancement. Vietnamese, Ingrian Finns and Estonians had perceived least discrimination among the studied groups. The proportion of Russians who had perceived ethnic discrimination when seeking to advance at work seems to have increased, as the percentage was 17% in 1997 and 27% in 2001. However, one has to keep in mind that the figures are not completely comparable due to diverging sample sizes.

When asked by Jasinskaja-Lahti et al. (2002) whether the respondent had been offended or bullied at work because of their ethnic origin, 31% answered affirmatively in 2001. Somalis and Arabs had again perceived most harassment, in addition to having been harassed by several different groups (e.g., managers, co-workers, customers) more often than other groups. (Jasinskaja-Lahti et al., 2002, pp. 88–89.) Vietnamese and Estonians had perceived least maltreatment of this kind (both 27%). Surprisingly, in 1997 Somalis were among the groups who reported least harassment (23%), practically the same as the group that perceived least bullying that year (Estonians with 22%). However, as stated before, the difference in sample sizes calls for caution in interpreting the results, as does the fact that factors such as age, gender and education have not been controlled for in the comparison made in Table 5. Results of a survey directed both at majority and minority members (immigrant respondents N = 208 from Russia, Estonia, Sub-Saharan Africa and ‘other countries’) reported by Vartia and Bergbom (2007) show less bullying than do the results by Jasinskaja-Lahti et al. (2002). Also there, however, Sub-Saharan Africans had perceived most bullying and Estonians least. Just over 17% of the Russian respondents had been bullied. (Vartia et al., 2007, p. 130.)

The link between various socio-demographic factors (such as gender, age and time resided in Finland) and level of perceived discrimination was elucidated by Jasinskaja-Lahti et al. (2002) using statistical analyses. Only the results for the 2001 sample are included here. Language skills and gender emerged as significant factors affecting how much labor discrimination was perceived. The general trend was that those who spoke good Finnish had perceived more work-related

discrimination than those with weaker language skills. There were also some differences between the studied immigrant groups. Among Somalis and Arabs, men had perceived more discrimination than women, which might imply multiple discrimination against male immigrants from these specific groups. (Jasinskaja-Lahti et al., 2002, p. 106.) Also the different nature of the sectors in which Somali and Arab men typically work may offer an explanation. For example bus drivers or kebab restaurant workers are more exposed to harassment and even physical violence than persons in more female-dominated occupations. The tendency of increased perceived discrimination with higher language proficiency was visible especially among Somalis, Arabs and Russians, but not among all groups (Jasinskaja-Lahti et al., 2002, p. 106). This finding undermines the popular belief that lacking language skills are the reason for unemployment or unequal treatment at work. For example in Valtonen's (2001) qualitative study on immigrants' access to the labor market (N = 61), language emerged as the top reason believed to affect immigrants' chances for employment. The same tendency is visible in the results of an interview survey (Laakso et al., 2006) carried out among companies in the capital area (N = 200). The company representatives ranked the lack of language skills as the foremost problem concerning hiring immigrants. But if discrimination at work actually increases with language fluency, the argument that language proficiency is the paramount issue complicating employment does not necessarily hold. However, one potential explanation for increasing discrimination perceptions with increased language skills might be that immigrants who speak good Finnish perceive more discrimination because they understand better what people around them say.

The Central Organisation of Finnish Trade Unions (SAK) carried out a survey with their union stewards in 2008 regarding their observations of discrimination in the work place (N = 415). Although only leading to indirect information about discrimination as victims themselves were not included, this study serves as a pointer to the state of discrimination in the work places of these stewards (they represent up to 100 000 workers). More discrimination was observed on the ground on health status/disability (in 13% of the work places), age (11%) and union activity (8%)²⁶ than based on ethnicity/language, which had been observed in only 2% of the work places. (Central Organisation of Finnish Trade Unions, 2008, p. 17.) As with the Quality of Working Life Survey data, the small proportion of immigrant employees probably explains the low proportion of observed ethnic discrimination.

Magdalena Jaakkola's attitude study (2009) shows that Finns would rather have foreigners as co-workers than as neighbors or spouses of close relatives. The respondents were asked how agreeable they would find contact with a foreigner in different situations, for example at work. Three quarters thought that it would

26 The high amount of discrimination based on union activity identified in this study may be due to the fact that the sample consisted exclusively of union stewards.

be very (34%) or fairly (44%) agreeable to have foreign co-worker in 2003²⁷. Fifteen percent replied that it would not be very agreeable, while 6% thought it would be not be agreeable at all. (Jaakkola, 2009, pp. 42–43.) Asking how agreeable having interaction with a foreigner is may be regarded as somewhat essentializing, as it seems to reduce persons from outside of Finland to their nationality. A respondent with no xenophobic tendencies might reply that they do not know how agreeable interaction with a foreigner in a certain situation is, because s/he assumes that being a foreigner does not tell much about a person.

Timo Jaakkola's study (2000) included questions on how immigrant employees and Roma employees were treated at the work place. The same proportion of immigrant employees had perceived unequal treatment by employers (20%) as by co-workers (19%). The main issue was salaries thought to be lower than those of co-workers. Discrimination against ethnic minorities by co-workers manifested as for example prejudice, refusal to speak or avoiding contact with the minority employee. National origin and linguistic difficulties were reported as the main reasons for unequal treatment among immigrants. Among Roma, the main reasons were believed to be the Roma origin and different customs. (Jaakkola, 2000, p. 66–72.) A qualitative study on prejudice against Finnish Roma entrepreneurs (Anttonen, 2008) also shows that being of Roma origin hampers business. The interviewed Roma entrepreneurs reported, for example, unwillingness by banks to grant loans, extra tax inspections and prejudice by customers.

Katainen (2009) has based on register data from Statistics Finland showed that foreigners are paid less than Finnish persons in the Finnish labor market, and that the pay gap has increased in the 2000's. The structures (i.e., immigrants typically work in low-wage sectors) explain most, but not all, of the differences. Even when tasks and personal characteristics of the employee were controlled for, the 5.8% difference in average pay between foreign and native employees decreased only by 3%. The wage differences were largest in the private (7.7%) and smallest in the municipal sector (3.1%). Some nationality groups have higher average pays than Finns. However, the average wages among employees from Nigeria, the Philippines, Thailand and Somalia were over 30% lower than the average among Finnish wage-earners. Also Forsander and Alitolppa-Niitamo (2000, pp. 33–35) noted that pay levels among immigrant employees they had interviewed were lower than the average pay levels in the relevant sectors. Several of the studied immigrant employees were only paid the minimum or trainee wage.

3.2.3 Discrimination in the termination of an employment

Among the contexts included in the victim studies carried out by Jasinskaja-Lahti et al. in 2001 and Jasinskaja-Lahti and Liebkind in 1997 (recruitment, advancement,

27 This question was not posed after 2003.

bullying, termination), the studied immigrants perceived least labor discrimination in the termination stage (see Table 5). In 1997, 9% (N = 63) and in 2001 6% (N = 173) reported having faced this kind of discrimination. Because the 1997 sample was so small to begin with, and as the figures are low especially for discrimination when terminating employment, it is difficult to draw conclusions on the development between 1997 and 2001 (N = 17 in the largest ethnic group in 1997). Somalis (21%) and Arabs (14%) had perceived most discrimination in 2001. Least discrimination in the termination stage was perceived by Ingrian Finns (3%) and Russians (4%), as well as Estonians and Vietnamese (both 5%).

Timo Jaakkola's (2000) questionnaire for immigrants and Roma included a question about the reason why an employment had ended, with discrimination as one of the response options. However, when reporting on the results of this question, Jaakkola does not mention how many thought that discrimination was the reason for termination but only gives an account of the other response options. This indicates that neither immigrant nor Roma employees reported much discrimination in termination of the employment. Nonetheless, had the formulation of the question and response options been more specific, the result may have been different. In addition, having a fixed-term contract instead of a permanent one may in some cases be the result of discrimination. Just under a third of the immigrants in Jaakkola's study reported that they had fixed-term contracts, and almost all Roma had irregular jobs (N = 10). As there was no control group, however, comparison with the majority population is impossible. Also Sutela (2005) shows, on the basis of the immigrant living conditions survey, that a larger proportion of the studied immigrants than native employees had fixed-term contracts. For example, 31% of the Russian respondents and 20% of the Estonians had temporary contracts, as opposed to 15% of the Finns (Sutela 2005, p. 90). A study among companies in the capital area (Laakso et al., 2006, p. 31) shows different and more positive figures; 82% of the companies who employed immigrants reported that most of these have permanent contracts, compared to 18% who said most have fixed-term contracts. Most fixed-term contracts among immigrants were reported in the construction sector and companies producing services for private households. In the business, transportation and trade sectors, the proportion of permanent contracts was considerably larger than the proportion of those with a fixed-term contract.

3.2.4 Foreign temporary workers

When discussing labor discrimination on the ground of ethnicity, it is also in place to include seasonal workers (e.g., berry pickers) and those who have been temporarily posted in the country (e.g., construction workers sent by Russian and Estonian companies).²⁸ For example, roughly 6000 berry pickers arrive yearly from

²⁸ According to the EU Directive on posting of workers (96/71/EC) a posted worker is defined as someone who, for a limited time, carries out her or his work in the territory of a state other than in the one she or he normally works.

Russia alone (Ombudsman for Minorities, 2010a). However, the working conditions of pickers from Thailand have been subject to most public discussion in recent years (Rantanen & Valkonen, 2011). Temporary foreign labor is predominantly used in construction, gardening and cultivation, as well as the metal industry and engineering (von Hertzen-Oosi et al., 2009). Characteristic for these sectors are seasonal variations and the need for additional workforce during a certain time of the year. Overall, there seems to be very limited information on the recruitment and working conditions of temporary foreign labor in Finland. There also seems to be a lack of information on terms of employment specified in Finnish legislation among the temporary workers. Unawareness of one's own rights may lead to many discrimination cases never getting reported. Resources for supervision have not increased at the same pace as the size of the temporary foreign labor force and the supervision of working conditions is lagging behind. (von Hertzen-Oosi et al., 2009.)

In relation to the vulnerability of temporary foreign workers in Finland, the link between labor discrimination and human trafficking - which can be seen as the worst form of labor discrimination - has been emphasized. The Finnish National Rapporteur on Trafficking in Human Beings has addressed temporary labor in her national report on trafficking in human beings in Finland (Ombudsman for Minorities, 2010). According to the report, the use of temporary foreign labor in Finland has in some cases been associated with indications of human trafficking. One report filling the information gap on trafficking for labor purposes is the work of Jokinen, Ollus and Viuhko (2011). By interviewing victims of trafficking (N = 7) and experts (N = 19) and including investigation materials from the police and court cases, they mapped the phenomenon of human trafficking for the purpose of labor exploitation. The worst cases of exploitation occurred in the restaurant, construction and gardening sectors. The most common form of exploitation seems to be wage discrimination. This includes refusal to pay compensation for overtime or paying very low wages. (Jokinen et al., 2009.)

3.2.5 Conclusion

There is a substantial amount of Finnish research done on discrimination on the ground of ethnic origin. Anti-discrimination efforts concerning ethnic minorities are now particularly topical, as the Finnish society is growing increasingly multicultural and a notable second-generation immigrant population is emerging. It is alarming that unemployment rates among immigrants are more than three times higher than among the entire population. Also in research controlling for various factors which might affect the chances for employment, it has been shown that origins in an African or refugee-producing country was a significant predictor of long-term unemployment (Forsander, 2002b; Joronen, 2005). In addition, statistical data indicate unequal pay levels between immigrant and native wage-earners. Structural

factors (i.e., the fact that immigrants typically work in low-wage sectors) explain a part, but not all, of the wage gap (Katainen, 2009).

When asked about actual instances of discrimination observed at the workplace, between 2 and 9 per cent of respondents representing the general population reported having observed discrimination based on ethnicity and/or language (Lehto & Sutela, 2008; Ylöstalo & Jukka, 2011; Väänänen & Toivanen, 2010). According to research results, 35–65% of respondents with a foreign background believe that their ethnic origin had hampered finding employment in at least one recruitment situation (Jaakkola, 2000; Jasinskaja-Lahti et al., 2002; Pohjanpää et al., 2003). In our re-analysis of the QWLS data, 29% of women and 37% of men with a foreign background had perceived discrimination at work (Statistics Finland, 2008). Also Finnish Roma perceive a substantial amount of discrimination (Syrjä & Valtakari, 2008). Studies with potential employers as respondents indicate the same; being of a minority ethnic origin is a disadvantage in the labor market.

Although an attitude survey among majority representatives indicates an amelioration of attitudes towards immigrants in the Finnish labor market, victim surveys do not give evidence of decreased discrimination (Jaakkola, 2009; Jasinskaja-Lahti et al., 2002; Jasinskaja-Lahti & Liebkind, 1997). In studies directed at potential victims of discrimination, the reported level of ethnic discrimination during employment (e.g., advancement and harassment) was 19–31% (Jasinskaja-Lahti et al., 2002; Jaakkola, 2000). When responses by different immigrant groups were differentiated, Somalis/Sub-Saharan Africans and Arabs were the groups who had perceived most discrimination both in recruitment and at the work place (Jasinskaja-Lahti et al., 2002; Pohjanpää et al., 2003; Sutela, 2005; Vartia & Bergbom, 2007). This was the case also with the recruitment and termination stages, while Estonians and Ingrian Finns reported little perceived discrimination in all contexts (Jasinskaja-Lahti et al., 2002). These results follow the pattern of an ethnic hierarchy in Finland (see e.g., Jaakkola, 2005). Furthermore, Somali and Arab men had perceived more discrimination than women from these groups (Jasinskaja-Lahti et al., 2002; Sutela, 2005). Also our re-analysis of the QWLS data shows that men with foreign born parents had perceived significantly more discrimination based on their gender than all other men (Statistics Finland, 2008). This may possibly be due to multiple discrimination based on (male) gender and ethnicity, or to the characteristics of the occupations where immigrant men typically work. Remember, however, that the sample included in our re-analysis cannot be seen as representative of all (working) immigrants in Finland.

In sum, judging by existing research results, the highest ethnic discrimination rates can be found in the recruitment stage. Research is most scant on discrimination in the termination of employment. In light of existing research, this also seems to be the context where least discrimination occurs. It may be that the highest threshold consists of finding employment, and once an ethnic minority member has her or his “foot through the door”, less – but not insignificant – discrimination occurs. Immigrants from African, Middle-Eastern and refugee-producing countries seem to

be especially vulnerable in the Finnish labor market. Also Finnish Roma continue to face discrimination on the ground of their ethnicity.

3.3 Disability and health status

In the following section we discuss discrimination on the ground of disability and health status. We have chosen to approach discrimination on the ground of disability and health status in the same section as research on discrimination towards people with a disability or with long standing health problems tends to cluster these two groups together. Therefore it is most often impossible to distinguish in the results whether the person observed/perceived discrimination on the ground of disability or health status. This practice is problematic because it does not give information on the level of discrimination separately for disability and for health status. Furthermore, according to the legal framework prohibiting discrimination, disability and health status are mentioned as two separate grounds (see Section 1.2).²⁹ Approaching disability and health status together creates therefore problems for the legal discussion on discrimination in the labor market. Consequently, we suggest separating between disability and health status in future research on labor discrimination, whenever possible.

3.3.1 Approaching disability and health status

The conceptualizing of the term *disabled* is a central issue when attempting to assess the level of discrimination faced by the disabled. Who is defined as disabled? Two main models can be distinguished, the medical and the social. The medical model focuses on the individual's functional limitations caused by the disability whereas the social model takes a wider approach and views disability primarily as arising from the interaction between the individual and the society, including the surrounding environment (Disability Rights Commission, 2006; Linnakangas, 2006, for more details on the conceptualizing of disability both in a national Finnish and an international context see, e.g., Linnakangas, 2006, pp. 13–18). When analyzing discrimination on the ground of disability in relation to the labor market the heterogeneity in the group addressed is striking. The concept includes physical, sensory, intellectual, mental and developmental disability as well as different levels of severity of the disability (Linnakangas et al., 2006; Haarni, 2006; Organisation for Economic Co-operation and Development, 2010). The ability to work differs largely between a person with physical disabilities and a person with mental disabilities. In

29 On the EU level the case of *Chacón Navas v. Eurest Colectividades SA* handled by the European Court of Justice (ECJ) in 2006, sets forth a uniform definition of disability in the European Union. The ECJ decision restricts the definition for the purposes of the Directive 2000/78/EC on Equal treatment in employment and occupation to cover only disabled persons, thus leaving out persons with long standing health problems. The narrow definition of disability as not including long standing health problems limits the application of the Directive and consequently the protection from discrimination in employment on the ground of health status.

comparison to the other prohibited grounds in this report, no other ground includes such a diverse group in terms of *ability* to work.

Giving exact figures on the disabled in Finland is challenging as it depends on what is regarded as disability. In a wide context, 10% of the population in Finland is considered as having a disability in one form or another, whereas in a narrow context this is true of only 5% (Kansainvälisen vammaisten vuoden 1981 Suomen komitea, 1982). Relating to self-assessed prevalence of disability, an OECD (Organization for Economic Co-operation and Development) report shows that 21% of the working age population in Finland (aged 20–64) regard themselves as having a chronic health problem or disability which hampers their daily life (OECD, 2010, p. 22). On the other hand, in the latest Eurobarometer survey on discrimination in the EU, only 2% of the Finnish respondents (N = 999) considered themselves being part of a minority in terms of a disability (Eurobarometer, 2009). These figures highlight the varieties in the target group depending on whether disability also refers to persons with chronic health problems or strictly disabled persons. Due to the heterogeneity of the two groups it is problematic to cluster disability and health status together when mapping discrimination in working life. It can be questioned if there is much in common in the discrimination experienced by a mentally impaired person and a person with diabetes. The discussion on the concept of disability and who is defined as disabled also highlights the vague border between health status and disability, when does a long term sickness become a disability?

Another question related to the disabled is targeting a representative sample of people with disabilities. Disability is not registered in population registers, which makes it impossible to address disabled persons directly through population registers, in contrast to, for example, persons of old age. One can approach disabled persons or persons with deteriorated working capacity (*vajaakuntoinen henkilö*)³⁰ through the employment service registers (*URA/työnvälitystilasto*) upheld by the Employment and Economic Development Offices or through other registers which register disability, such as the disability pension register or the disability allowance register. Register studies have been carried out by for example Linnakangas et al. (2006) and Nevala et al. (2010).

Even though discrimination on the ground of disability in relation to the labor market can be considered as “commonly known”, little research addressing the nature and extent of labor discrimination on the ground of disability is to be found. In general, getting a holistic picture of the everyday challenges faced by disabled persons in Finland is difficult due to lack of extensive and long span research. It seems that research on disabled persons has mostly been done from a medical perspective or is fragmented, covering only one certain group of disabled persons (Haarni, 2006). Concerning the labor market some research has been done on disabled persons’

30 In the labor market context the Finnish term *vajaakuntoinen* (which can be translated as a person whose work capacity has deteriorated) has been largely criticized to be stigmatizing, e.g., by the Finnish National Council on Disability (2006).

position in the labor market through various forms of supported employment (see, e.g., Ylipaavalniemi, 2001; Pelkonen, 2005). However, research on disabled persons is far from institutionalized (Haarni, 2006). This seems to be the case also with health status from a labor discrimination perspective. To some extent health status is included in surveys in the same prohibited ground as disability. However, health status is the most common ground in the complaints reported to the Occupational Safety and Health Divisions, which shows that people feel discriminated in the labor market on the ground of health status and file their complaints (for more information on the formal complaints, see Section 3.6).

The Eurobarometer (2009) shows that 56% of the respondents in Finland considered discrimination on the ground of disability to be very or fairly widespread in 2009 (N = 999). These figures, however, apply to discrimination in general, not specifically in working life. Compared to other grounds this percentage is neither high (as 72% for ethnicity) nor low (as 31% for gender). Only one per cent of the Finnish respondents had personally felt discriminated against because of disability in the previous 12 months, with 7% saying that they have witnessed this happening to someone else. (Eurobarometer, 2009, appendices.) Regarding surveys using nation-wide probability samples (such as the Eurobarometers), the results on discrimination on the ground of disability must be interpreted with caution, just like with other small minorities. The proportion of people in the total sample reporting discrimination experiences on the ground of disability (1% in the Eurobarometer) must be considered in relation to the size of this minority (2% of the Eurobarometer sample defined themselves as “disabled”). Hence, if the sample in the Eurobarometer would be representative of the whole population, it would mean that 50% of all disabled people perceive discrimination (see also Section 2.1.1).

3.3.2 Labor market access by people with disabilities

Despite various forms of supported employment in place, the overall problem with disabled persons in the labor market still seems to be lack of access to the market (Linnakangas et al., 2006; Haarni, 2006; Organisation for Economic Co-operation and Development OECD, 2010). According to the OECD report of 2010 on sickness, disability and work, people rarely prefer employment to long-term disability benefits. In Finland there was only an annual outflow of 10% of the ones receiving long-term disability benefits into either employment or loss of eligibility (OECD, 2010, p. 67). The report shows that despite recent policy changes trying to decrease the high number of disability benefit receivers among the disabled and persons with chronic health problems in the OECD countries, the employment rate remains low (OECD, 2010). These figures do not directly assess the level of discrimination faced in recruitment, but show that the current disability benefit system may have an impact on the low employment rate.

Finland's Disability Policy Programme 2010–2015 notes the same problem regarding supportive employment measures; many employment policy measures aiming at increasing the employment rate among the disabled, such as supported employment, are too permanent in nature (Ministry of Social Affairs and Health, 2010). The threshold for moving onto the open labor market as independent wage-earners seems to remain high (Klem, 2011; Ahlstén et al., 2010).

Linnakangas et al. show, not surprisingly, that the severity of the disability is a decisive factor separating those who belong to the labor market and those who are left outside. It seems that being only mildly disabled does not affect access to the labor market that much, whereas severely disabled persons are left totally outside the labor market (Linnakangas et al., 2006). The study used register data between 1995 and 2002 from registers upheld by the Social Insurance Institution (*Kansaneläkelaitos*) and the Finnish Tax Administration (*Verohallinto*) on disability allowances (*vammaistuki*)³¹ and disability tax deduction (*invalidivähennys*)³² received by the disabled.

According to Linnakangas et al. (2006), only 18.2% of persons aged 25–64 who are allowed disability tax deduction are in the labor market. Their disability is not categorized as severe (disability percentage = 30–99%). The large majority (81.8%) of disabled persons who are eligible for disability tax deduction have a 100 per cent disability level recognized by a physician. The vast majority of persons having a 100 per cent disability are on disability pension (*työkyvyttömyyseläke*). (Linnakangas et al., 2006, p. 32.) The unemployment rate among persons with less severe disabilities is not much higher than the rate among the population in general. In 2002 the unemployment rate among persons with a less severe disability was 13.9% and among the general population (after excluding persons allowed disability allowance and disability tax deduction) 11.6%. (Linnakangas et al., 2006, p. 34.)

The results from the register study of Linnakangas et al. can be interpreted as showing signs of institutional discrimination. The fact that the majority of disabled persons are according to the registers on disability pension gives reasons for concern. Although getting disability pension does not exclude salary income (to a certain extent) it seems that persons on disability pensions are rarely employed (Linnakangas et al., 2006). Although the disability pension is meant to help the subsistence of disabled persons it rather seems to sustain a system where disabled persons are put on disability pension even though they very well could be in the labor market. Linnakangas et al. question the system of seeing disabled persons in black and white as either able or unable to work. (Linnakangas et al., 2006.) Niemelä (2007), whose study is based on hearings with representatives from relevant

31 Disabled or chronically ill persons aged 16 years or over can be paid disability allowance if their ability to function remains diminished for at least a year and their illness or injury causes impairment, need of assistance and/or additional expenses. According to the Social Insurance Institution of Finland, 0, 3 % of the population in Finland aged 16–54 was granted disability allowances in 2010. (Social Insurance Institution of Finland, 2011.)

32 When applying for disability tax deduction from the tax administration, a medical certificate in which the physician assesses the level of disability (30–100%) is needed. Persons whose disability level is over 30% have the right to disability tax deduction. (Linnakangas et al., 2006.)

disability organizations, uses the term “passive retirement” in this context. As a consequence of the public discussion on disabled persons’ access to the labor market and ending their dependency on disability benefits, several amendments have been made on a national level and these are described in the National Disability Policy Programme 2010–2015 (Ministry of Social Affairs and Health, 2010).

However, relying only on registered data makes research on disabled persons limited to some extent. Although several variables are controlled for (e.g., level of education, age, occupation) the target group remains defined by official definitions of who is allowed disability allowance and disability tax deduction. Other research shows that the criteria for getting disability allowances are quite strict (Virta, 2004), which has resulted in a rejection of almost 40% of the applications during the time the system of disability allowance has been in place (Linnakangas et al., 2006, p. 26). It is therefore likely that there are more less-severely disabled persons in the labor market who do not qualify for the official definition and are thus omitted from the sample.

3.3.3 Discrimination in recruitment

Discrimination in recruitment was addressed in the Eurobarometer (2009) and as no equivalent survey on the national level exists, we report below the results for the Finnish respondents (N = 999). The respondents were asked the following question; “when a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage?”. According to the Eurobarometer (2009) 54% of the 999 randomly sampled Finnish respondents felt that disability would be a factor putting a candidate at a disadvantage in the recruitment process. When restricting the answer to the prohibited grounds included in this report, disability was regarded as the most disadvantageous factor (the most disadvantageous factor overall was the candidates “looks, dress-sense or presentation” with 59%), whereas religion was the factor the least proportion of the respondents (27%) considered putting a person at disadvantage. In comparison to the EU average of 37% of the respondents regarding disability as a criterion putting persons at a disadvantage at work the Finnish results were surprisingly much higher. (Eurobarometer, 2009, appendices.)

In comparison to the previous Eurobarometer in 2008, there was a slight increase between 2008 and 2009 as in 2008 only 49% of the Finnish respondents regarded disability as a factor putting a person at a disadvantage in the recruitment process. When comparing the answers of persons in managerial positions reported in the 2008 Eurobarometer, the answers were not higher than for the other respondents, as 46% of the respondents in managerial position regarded disability as a factor putting persons at a disadvantage. (Eurobarometer, 2008, appendices.) Interestingly, a total of 47% of the respondents in managerial position regarded the candidate’s general

physical appearance (size, weight, face) as a disadvantageous factor in recruitment. This factor was regarded as more disadvantageous than the candidate's skin color/ethnic origin and disability (both 46%) (Eurobarometer, 2008, appendices.). Even though the difference between the grounds is not large, it shows that managers pay much attention to the candidate's appearance when recruiting. This indicates that discrimination on the ground of health status (e.g., obesity) may occur in recruitment.

A question on recruitment discrimination has been included twice in the Quality of Work Life Survey, in 2003 and 2008 (Lehto & Sutela, 2008; see Section 2.1.1.2 for contemplation on the formulation of the question). To find out about discrimination perceptions among disabled persons and persons with chronic disease diagnosed by a doctor, we re-analyzed the data from 2008 and separated the answers of people who reported having a disability or chronic disease diagnosed by a doctor (such as cardiovascular disease, lung disease, support and mobility organ disease, digestive organ disease or other chronic disease) from the total group of respondents. It needs to be emphasized that the proportion of persons reporting having a chronic disease diagnosed by a physician is high as the question was widely formulated (which resulted in including, e.g., persons with digestive organ diseases). This affects the results on observed and perceived discrimination in this group. Furthermore, this shows the problem with clustering disabled persons together with persons having a chronic disease as the two groups (even though to some extent overlapping) face very different obstacles in relation to recruitment and at work. The respondents were asked whether they had faced (i.e., perceived) discrimination or unequal treatment in their current organization related to recruitment during the last five years. The results show that 8% of women and 5% of men with disability or chronic disease had perceived discrimination in recruitment (see Figure 4 on page 82). The figure for men was significantly higher when compared to healthy men (3%) (see also Table A2 in Appendix A). Of the respondents with disability or chronic disease women perceived more discrimination than men, which may possibly be interpreted as a sign of multiple discrimination based on health status and gender. (Statistics Finland, 2008.)

Ala-Kauhaluoma and Härkäpää (2006) gathered information on what kind of attitudes private service sector companies have towards employing job seekers from the most disadvantaged groups in the labor market. The results from the survey for employers (N = 692) show that both mentally and physically disabled persons were among the least preferred candidates when compared to other disadvantaged groups, such as young people without vocational training, immigrants and long-term unemployed. Also, only 2-4% of the companies had employed a physically or mentally disabled person or a person with mental health problems. Recently, an attitude survey carried out among directors and managers by the VATES Foundation (promoting employment and vocational rehabilitation of people with disabilities or other disadvantageous groups) shows more promising results (Varanka & Lindberg, 2011). Among the respondents (N = 1528) in total 40% had recruited disabled persons

to their companies. Concerning attitudes towards hiring disabled persons, 13% said that they would recruit a person with disabilities if the person is the right person for the job, 36% said that they will investigate the opportunities to recruit a disabled person and 23% answered that they need more information on the issue. On the other hand, 28% of the managers participating in the survey could not see an opportunity of recruiting a disabled person in their own work community. (Varanka & Lindberg, 2011, p. 19.) These differences in the results might be interpreted as an improvement during recent years in managers' attitudes towards recruiting disabled persons. However, differences in questions and samples are equally plausible explanations for the results. In Ala-Kauhahuoma and Härkäpää's study, the group of disabled persons was specified to include mentally and physically disabled persons as well as persons with mental health problems, whereas Varanka and Lindberg only uses the term "disabled".

Holm and Hopponen (2007) and Laiho et al. (2010) have studied the disabled in relation to the labor market from the perspective of self-defined disability and self-reported willingness to work. The surveys mapped current employment, willingness to work and ability to work among disabled persons. The respondents were targeted through disability organizations. Both studies used the Work Ability Index developed by the Finnish Institute of Occupational Health when evaluating the work ability among disabled persons. When evaluating their ability to work, both studies show that 30% of the respondents had an excellent or good work ability index (Holm & Hopponen, 2007; Laiho et al., 2010). However, Holm and Hopponen (N = 1047) found that only one fifth of the disabled persons were employed. In 2010, Laiho et al. (N = 833) show that one third of the respondents have been working in the previous last two years. According to the findings in 2007, one third of the respondents were willing to work and in 2010 the results show an increase in this motivation; almost half of the 833 respondents in the survey wanted to become part of the labor force. (Holm & Hopponen, 2007; Laiho et al., 2010.) Overall, both reports show that the disabled are to a large extent both able and willing to participate in working life, yet they are not employed to a large extent.

When analyzing disabled persons' rights in working life, *reasonable accommodation* and supportive measures can be briefly mentioned. According to the NDA, Section 5, a person commissioning work or arranging training shall, where necessary, take any reasonable steps to help persons with disabilities to gain access to work or training, to cope at work and to advance their career.³³ However, several problems seem to be related to the use of supportive measures such as lack of knowledge of the system among both employers (Varanka & Lindberg, 2011) and persons working at the Employment and Economic Development Offices (Vuorela, 2008). The results of the Eurobarometer (2009) show that Finns in general are highly supportive of measures taken to improve disabled persons' situation on the labor market (special

33 Finnish Employment and Economic Development Offices can offer employers compensation for additional costs due to arrangements needed in order to hire a disabled person. This section has been specified in the government bill to include for example working hours regulations and workplace amendments (HE 44/2003).

training schemes or adapted selection and recruitment processes). Among the Finnish respondents (N = 999) in total 80% were in favor of such measures when it comes to disability. This figure is very close to the average of the EU-countries, where 81% of the respondents were in favor. Disability was the ground on which Finns were most in favor of adopting specific measures on (compared to 75% in favor of specific measures adopted because of age and 74% in favor because of ethnic origin). (Eurobarometer, 2009, appendices.)

3.3.4 Discrimination at work

In the QWLS the respondents were firstly asked whether or not they had *observed* discrimination or unequal treatment at their workplace, and secondly whether they themselves had *perceived* discrimination (Lehto & Sutela, 2008). Table 7 shows the results for observations of discrimination on the ground of disability or deteriorated capacity to work. Based on the published results from the QWLS (Table 7, whole sample) around 3% of the respondents reported having observed unequal treatment related to salary, recruitment, career advancement or training on the ground of disability or deteriorated capacity to work. The survey has included this question also in 1997 and 2003, which allows also for a comparison of the results. However, there seems to be no significant change in the last 10 years. In comparison to other grounds, not much discrimination had been observed on the ground of disability or deteriorated capacity to work (see Table A1 in Appendix A). These results, again, need to be interpreted with caution as the survey uses a random sample of the population leaving smaller minorities such as disabled persons slightly invisible (see Section 2.1.1 for more on sampling).

When looking at the re-analyzed data from the QWLS we see that that the figures on observed discrimination are higher for respondents who themselves were disabled or had a chronic disease, for women significantly so (8%) (Table 7). Furthermore, the difference between those women who acted as employee representatives and those who did not is statistically significant. (Statistics Finland, 2008.) There seems to be a pattern indicating that members of minorities are better at spotting discrimination faced by others.

Table 7. Percentage of people who in their own organization have **observed** discrimination or unequal treatment related to salary, recruitment, career advancement or training based on disability or deteriorated capacity to work (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008)

	Whole sample 2008, % (2003) [1997]			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representa- tives, %		Chronic disease/ disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Disability or deteriorated capacity to work	3 (3)[4]	3 (2)[4]	3 (3)[4]	3	2	6	4	0	6	11***	6	8**	5
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example disabled women to other women. For opposite groups' figures, see Table A1 in Appendix A.

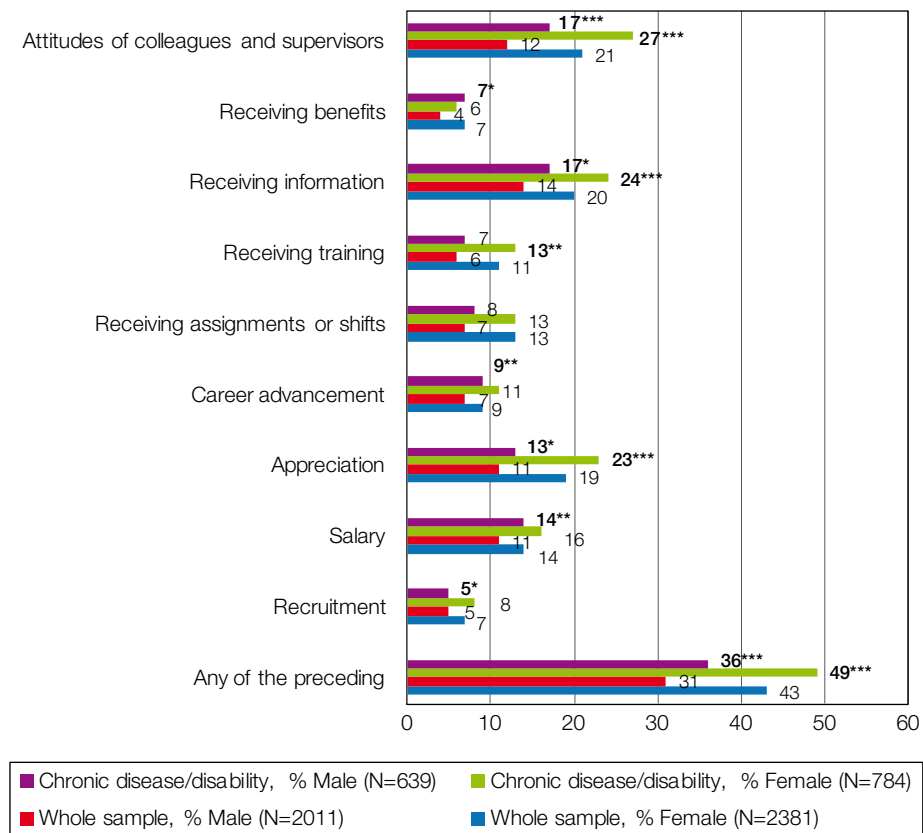
The level of discrimination observed at work also varies depending on whether health status and disability are clustered together as one ground in the surveys. In the union steward survey carried out by the Central Organisation for Finnish Trade Unions in 2008 (N = 415 union stewards representing about 100 000 employees) the grounds disability and health status are combined into one ground resulting in higher shares of observed discrimination than the QWLS, which did not include health status. Out of the union stewards 13% had observed discrimination on the ground of health status including disability and sickness, making this ground the most common ground for observing discrimination. (Central Organisation of Finnish Trade Unions, 2008, p. 17.)

The re-analysis of the data from the QWLS 2008 presented in Figure 4 gives valuable information on the perceived level of discrimination among persons reporting a disability or having a chronic disease. In general, the respondents with disability or a chronic disease perceived discrimination to a greater extent in all kinds of situations when compared to their healthy counterparts. Many of the figures for persons with a disability or chronic disease are significantly higher than the ones of healthy women and men. Looking at the results of the question “have you perceived discrimination in any of the preceding situations?” we can see that among respondents reporting having a chronic disease or being disabled a significantly higher figure perceived discrimination compared to the healthy respondents, as shown in Figure 4. For a comparison between the various groups we separated on this question, see Section 3.7.

Just like in the general population, disabled and chronically ill women perceived more discrimination than men. This result might suggest multiple discrimination based on disability/health status and gender. However, the results for another question on gender equality at work and equal treatment of men and women by the closest supervisor do not show signs of multiple discrimination, as the results of disabled and chronically ill women are on the same level as for healthy women

(see Table A5 in Appendix A). When interpreting these results, one has to keep in mind the heterogeneity of the separated group as it includes persons with various forms of chronic diseases, not only disabled persons. As proposed in Chapter 4, the information would be much more detailed if future surveys would use two separate questions in the background information, one for disability and one for chronic disease. Then we would be able to separate the level of discrimination perceived among persons with a disability and persons with a chronic disease.

Figure 4. Percentage of people with a disability or chronic disease who have **perceived** discrimination or unequal treatment in their current organization related to the following situations (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008).



* = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example women with a chronic disease/disability to other women. For further details and a comparison with other groups of respondents, see Table A2 in Appendix A.

Regarding well-being at work, according to the re-analysis of the results from the QWLS 2008 the respondents who were disabled or had a chronic disease were actually more satisfied in their job than their healthy counterparts. Disabled

and chronically ill respondents were significantly less dissatisfied (that is, more satisfied) than healthy respondents regarding appreciation of their skills (9% being dissatisfied), possibilities to influence at work (14% dissatisfied) and social relations at work (7% dissatisfied). (Statistics Finland, 2008, for more details see Table A4 in Appendix A.)

Hietala and Lavikainen (2010) asked hearing impaired about equality at their workplace. In their study which included both a survey with a sample of 129 hearing impaired and 21 interviews, 23% of the respondents in the survey considered equality at work to be realized only poorly or very poorly (answering the question; “in your opinion, is equality realized at your workplace?”). One fifth (18%) of the respondents regarded the workplace climate as poor (answering the question; “how is your workplace climate?”). (Hietala & Lavikainen, 2010, p. 23.) The interviews carried out showed that hearing impaired persons are not fully understood as a heterogeneous group and that their disabilities were not approached on an individual level. Central obstacles at work seemed to be the accessibility and functionality of spaces. For example, the dining space seems to create problems as 40% of the respondent (N = 77–88) saw the functionality of the dining space as poor. (Hietala & Lavikainen, 2010, p. 20.)

Nevala et al. (2010) addressed equal treatment at work by targeting respondents through the register upheld by the Social Insurance Institutions on persons receiving disability allowance. The sample consisted of persons in the register receiving disability allowance in 2008, aged 18–65 years and being employed in the open labor market. This study used the register as a way of targeting the respondents, but in order to get detailed information on accommodations made, the persons targeted also responded to an electronic survey. The study by Nevala et al. (N = 204) shows that when asked how equally respondents are treated at work, 80% of the visually impaired persons answered that they are fully equally treated (20% to some extent unequally treated). None of the visually impaired considered themselves very unequally treated. Among the physically disabled persons in the sample, 26% considered themselves very or to some extent unequally treated (73% fully equally treated, 1% do not know). Feelings of equality were less frequent among persons belonging to the hearing impaired or those with a communication disorder, as over 40% of these considered themselves very or to some extent unequally treated. (Nevala et al., 2010, p. 39.) However, it needs to be mentioned that when divided into groups according to their impairment, the size of the subsamples diminished dramatically thus increasing the risk of chance impacting these results.

The same study (Nevala et al., 2010) mapped psychosocial factors affecting disabled persons at work and compared these answers to those wage earners in the main population who participated in the Work and Health Survey in 2009 (N = 2355, see Section 2.1.1.1 for more detailed information on the Work and Health Survey). This gives valuable comparable information on the situation among disabled and non-disabled employees. In this comparison it turned out that there were clear differences between other wage earners and disabled persons in getting support

and help from colleagues; 79% of the non-disabled wage earners said that they get support or help from their colleagues while this was the case for only 51% of the disabled ones. The same tendencies are visible concerning support and help from a manager in case needed; 62% of the non-disabled wage earners get such support while this is the case for only 43% of the disabled persons. Regarding mental violence and bullying at work the proportions of disabled and nondisabled wage earners never being bullied at work differed with 12 percentage points (72% of the disabled and 84% of the non-disabled wage earners had never been bullied at work). Among both groups, 6% were not bullied at the moment, but 22% of the disabled and only 10% of the non-disabled wage earners had been bullied before. (Nevala et al., 2010, p. 40.) Although not directly addressing discrimination on the ground of disability, research comparing disabled with non-disabled wage earners indicates that the disabled get help and support from their co-workers to a lesser extent and that they have been victims of bullying or mental violence to a larger extent than non-disabled wage-earners.

When it comes to differences in treatment between disabled men and women, in light of current research there seems to be no clear pattern showing that disabled women and men are unequally treated in recruitment or regarding working conditions in Finland. According to Linnakangas et al. (2006) there is no difference in the unemployment rate and the labor force participation rate (*työvoimaosuus*) differs only with 2 percentage points (18.6% for women, 20.6% for men) (Linnakangas et al., 2006, p. 34). Neither do the results obtained by Laiho et al. (2010) show clear patterns that disabled women would face discrimination on the labor market to a wider extent than men, as the working ability between the male and female respondents did not vary much (Laiho et al., 2010, p. 26). In the re-analysis of raw data from the QWLS 2008, indications of multiple forms of discrimination on the ground of gender and disability/health status are visible in some questions and in some not. This is noteworthy, as several NGOs have shown concern about the fact that disabled women would face a double burden due to their gender and disability (Lepola & Villa, 2007). In 2008, the United Nations International Committee on the Elimination of All forms of Discrimination against Women considered this to be an issue for concern in their concluding observations on the implementation of the CEDAW convention (Convention on Elimination of All forms of Discrimination against Women) in Finland. The committee stated their concern that women with disabilities suffer from multiple forms of discrimination, including with respect to access to employment, and that they are not seen as a particular group with particular needs. Therefore, the Committee urged Finland to take effective measures to integrate disabled women into the Finnish labor market and to conduct regular and comprehensive studies on discrimination against them, collect statistics on their situation in employment, etc. (Committee on the Elimination of Discrimination against Women, 2008). Thus, in addition to the need for more research on discrimination in relation to working life, there is a need to focus especially on disabled women.

In their article Härkönen and Räsänen (2008) address the link between unemployment, wage differences and health status, particularly obesity. By using the Finnish data of the European Community Household Panel (1998–2001) they show that the unemployment risk among women with obesity is double compared to other women, even after controlling for other variables such as, for example, education and age (N = 4159). When comparing wages, there was a difference of 5% between women with obesity and other women. (Härkönen & Räsänen, 2008). This study shows that health status is a factor putting persons at a disadvantage both in recruitment and at work and show signs of multiple discrimination against women on the ground of age and health status. It does not, however, show the level of discrimination faced by persons with obesity.

Also age seems to be a crucial factor lowering both the employment level and the work motivation of disabled persons. Disabled persons exit the labor market faster than the average working population; in 1998 the average retirement age for persons getting disability tax deduction was 51 (Linnakangas et al., 2006, p. 46). In line with this, Airaksinen's (2006) study on the physically impaired showed that their share of the labor force diminished clearly after the age of 55. Around 50% of persons aged 55–64 are retired in the main population while the proportions among the physically impaired were much higher; 78% for men and 74% for women (Airaksinen, 2006, p. 63). Airaksinen re-analyzes the data collected in the Health 2000 survey (*Terveys 2000*), a vast research project launched by the National Institute for Health and Welfare with a sample of persons aged 30 years or over (8028 persons). Both Linnakangas and Airaksinen indicate that the minority of the disabled in the labor market exit work life earlier than the main population, which raises the question of age discrimination in combination with discrimination on the ground of disability. But it might also be that persons with a chronic disease or disability are prone to more easily losing their ability to work with age than do persons without these kinds of impairments. It seems, however, that discrimination of disabled persons in termination of a job has not been subject to much research.

3.3.5 Conclusion

In light of current research, the crucial threshold for the disabled seems to be the access to the labor market and in recruitment. Regarding disability and health status, re-analyzed data from the QWLS 2008 show that 8% of women and 5% of men with a disability or a chronic disease perceived discrimination in recruitment (Statistics Finland, 2008). According to the Eurobarometer 2009, disability was the factor believed to put a person most at a disadvantage compared to other prohibited grounds included in the NDA. Other conclusions on discrimination in access to the labor market can be drawn from the minimal part of disabled persons active in the labor market. Not surprisingly, research shows that the severity of the disability is a decisive factor separating those who belong to the labor market and those who

are left outside (Linnakangas et al., 2006). Regarding attitudes towards disabled persons, research shows that over half of the employers considered that recruiting a mentally disabled person would affect the image of the company and work community negatively (Ala-Kauhaluoma & Härkäpää, 2006).

The level of observed discrimination at work on the ground of disability seems to be around 3–13% (Statistics Finland, 2008; Central Organisation of Finnish Trade Unions, 2008). According to the re-analysis of the QWLS 2008 data, 36% of men and 49% of women who are disabled or have a chronic disease perceived discrimination at work (Statistics Finland, 2008). Discrimination was mostly perceived in the attitudes of colleagues and superiors, in appreciation and in receiving information.

The comparability of different studies on discrimination faced by the disabled in working life is limited as the target group varies from using the umbrella term disabled to also including persons with long standing health problems. When definitions of the subject of research, the “disabled”, vary widely from one study to another, it is next to impossible to draw further conclusions about the level of discrimination on the labor market. Much depends on how the sample is collected, as disabled persons are such a heterogeneous group regarding ability to work. As a disabled person’s individual skills and the obstacles she or he faces in working life are different depending on the level of disability, the usage of the term disabled without further specification can be questioned.

Not much research explicitly addressing discrimination due to health status in relation to working life was found. However, health status is the most frequently reported ground for discrimination in the complaints reported to the OSHDs (see Section 3.6.1), which shows that this form of discrimination is often perceived. The complaints mostly concerned discrimination in termination as unlawful dismissal due to deteriorated health. The high level of complaints reported on discrimination due to health status evokes a need for more detailed information on discrimination of people on the ground of their health status.

In comparison to Sweden, where a large study on the labor market situation for disabled persons has been carried out as a co-operation between Statistics Sweden and the Swedish Public Employment Service every second year since 1998, Finland is one step behind and lacks information on the situation of the disabled on the labor market. The Swedish report maps discrimination among disabled persons in recruitment, career advancement, salary, education and in termination of employment (Statistics Sweden, 2009). Thus it gives both detailed and comparable information for monitoring discrimination on the ground of disability in relation to the labor market.

3.4 Sexual orientation

There is little research in Finland on discrimination faced by persons belonging to a sexual minority (Lehtonen, 2007).³⁴ An essential issue in carrying out research on discrimination on the ground of sexuality is targeting the participants, as a person's sexual orientation is not officially registered. One way of approaching sexual minorities is to "headhunt" them through organizations or events. Contacting people through interest groups compromises the ideal of random sampling and hence limits the possibility to generalize the results to the whole targeted population (Croteau, 1996; Aalto et al., 2010). However, if this is the only way of carrying out research on discrimination faced by persons belonging to a sexual minority, the pros can be considered heavier than the cons.

As discussed in Section 2.1.1, one needs to interpret the results for sexual minorities with caution in surveys based on a nation-wide probability sample. Discrimination on the ground of sexual orientation does not seem to be very prevalent compared to age or gender, but the proportion of people in the total sample reporting discrimination experiences on a certain ground should always be considered in relation to the size of that minority.³⁵

Regarding the mapping of discrimination perceptions among sexual minorities in a labor market context, one major step forward was the research project carried out by Lehtonen & Mustola (2004). The vast pioneer project was conducted as a collaboration between the Department of Sociology at the University of Helsinki, STAKES (currently the National Institute for Health and Welfare) and SETA (LGBTI Rights in Finland). Respondents were targeted through relevant organizations and during events for gender and sexual minorities. The sample consisted of 726 members of sexual minorities, which can be considered satisfactory considering the difficulties in targeting the respondents. Similar questions as in the QWLS were used in order to provide for a comparison with the main population (Mustola & Vanhala, 2004a). The estimates of the level of discrimination among sexual minorities in working life will in this report be mainly derived from the findings in Lehtonen and Mustola's study, as little other research on this ground has been found.

On the level of discrimination in general it can be said that according to the Eurobarometer of 2009, 1% of the Finnish respondents (N = 999) perceived discrimination in the last 12 months on the ground of sexual orientation. Concerning the level of witnessed discrimination, 5% of the Finnish respondents had witnessed discrimination on this ground in the previous 12 months. (Eurobarometer, 2009, appendices.) According to the Eurobarometer, which also included self-assessed membership in a minority group (answering the questions "where you live, do you

34 As gender minorities (e.g., inter- and transsexual, transgender) enjoy protection under the Act on Equality between Women and Men and not the Non-Discrimination Act, they are not included in this report. For those interested, the report carried out by Lehtonen & Mustola (2004) also provides valuable information on discrimination experiences among gender minorities.

35 By estimation 5–15% of the population in Finland belongs to a sexual minority (Lehtonen, 2007).

consider yourself to be part of a sexual minority?”), 1% of the Finnish respondents regarded themselves to be members of a sexual minority (Eurobarometer, 2009, appendices). One could thus draw the conclusion that discrimination on the ground of sexual orientation is widespread in Finland (as stated above, also the share of all Finnish respondents who had perceived this kind of discrimination was 1%). Even though these result concern discrimination in general, they indicate that discrimination on the ground of sexual discrimination may be widespread and presumably the labor market context is no exception.

3.4.1 Discrimination in recruitment

In comparison with the other grounds on which discrimination is prohibited, e.g., ethnicity or disability, sexual orientation is easier to hide. Therefore the individual can choose to openly show or not to show her or his sexual orientation in recruitment or at work. Openness about one’s sexual orientation is not an either or situation; one colleague can know about it and others not. Telling about one’s sexual orientation needs to be decided in every meeting with a new person in relation to the labor market. (Lehtonen & Mustola, 2004.)

In the survey carried out by Lehtonen and Mustola (2004), 17% of the respondents belonging to a sexual minority answered that none of their colleagues knew about their sexual orientation. Discrimination in recruitment was briefly addressed in the questionnaire. Figure 5 on page 90 shows that of the respondents belonging to a sexual minority 14% had perceived discrimination in recruitment (Mustola & Vanhala, 2004b, p. 53). However, the person’s sexual orientation was not in all cases the foremost reason for the discrimination, as shown in the table below.

Table 8. The percentage of male and female respondents regarding their sexual orientation being the reason for discrimination in the recruitment

Have you perceived discrimination on the ground of sexual orientation in recruitment? (%)	Men	Women
Sexual orientation was the primary reason for being discriminated	25	7
It affected to some extent	36	18
It did not affect	39	75

(Adapted from Mustola & Vanhala, 2004b)

Discrimination in recruitment was addressed in the 2009 Eurobarometer. The respondents were asked the following question; “when a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage?”. According to the 2009 Eurobarometer, 30% of the 999 randomly sampled Finnish respondents felt that sexual orientation would be a factor putting

a candidate at a disadvantage in the recruitment process. In comparison to the other factors, sexual orientation was regarded as one of the least disadvantageous factors (the most disadvantageous factor being the candidate's "looks, dress-sense or presentation"; 59%). (Eurobarometer, 2009, appendices.)

3.4.2 Discrimination at work

According to the re-analysis of raw data from the QWLS 2008, only around 2% of the respondents reported having observed unequal treatment related to salary, recruitment, career advancement or training on the ground of sexual orientation (see Table 9; also Section 2.1.1.2 for details on the re-analysis). The survey included this question also in 2003, which allows for a comparison of the level of discrimination for the whole sample. However, there seems to be no change in the last five years. (Lehto & Sutela, 2008.)

Table 9 shows that when comparing the answers of different groups of respondents, there were no other significant differences except for elderly men reporting less (1%) observations of discrimination than men of other ages. The highest percentage in all groups was found among men with foreign background 6% of whom had observed discrimination based on sexual orientation. The difference was, however, not significant, because the sample size of men with foreign origin was only 59, meaning that the result might also be due to chance as 6% represents only 3 persons.

Table 9. Percentage of people who in their own organization have **observed** discrimination or unequal treatment related to salary, recruitment, career advancement or training based on sexual orientation (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008)

	Whole sample 2008, % (2003)			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representatives, %		Chronic disease/disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Sexual orientation	2 (2)	2 (3)	3 (2)	2	3	1	1**	2	6	1	3	3	4
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example foreign born women to native women. For opposite groups' figures, see Table A1 in Appendix A.

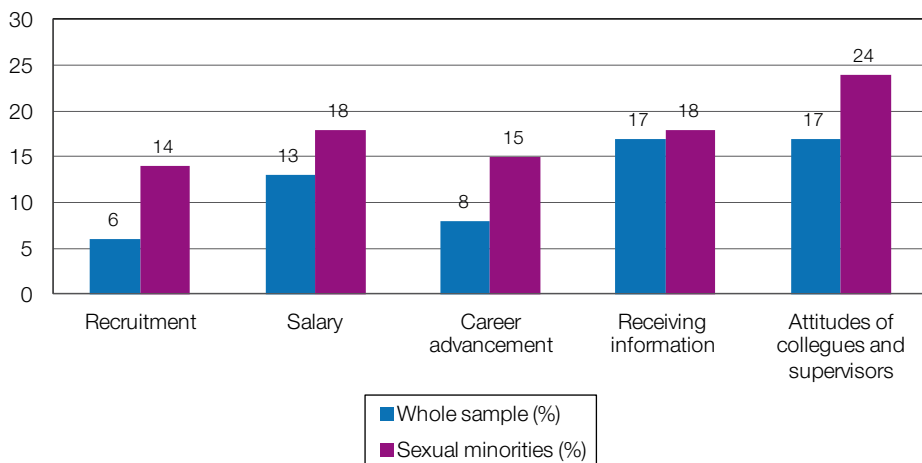
The results shown in Table 9 indicate that discrimination on the ground of sexual orientation is not much observed. However, the modesty of these figures is most probably due to the small share of persons belonging to sexual minorities in the sample. According to the findings of Lehtonen & Mustola (2004) on members of a sexual minority, the level was much higher with 19% of the male respondents and 12% of the female respondents observing discrimination on the ground of sexual orientation at their workplace. (Mustola & Vanhala, 2004b, p. 51.) Interestingly, these

results show that men observe discrimination on the ground of sexual orientation significantly more than women. There was a clear link between being open with one's sexual orientation and the observed level of discrimination. Seventy per cent of the ones being open about it had not observed discrimination on the ground of sexual orientation at their workplace, compared to forty-five percent for those who hid their sexual orientation. (Mustola & Vanhala, 2004b, p. 52.)

The level of perceived discrimination at work was 8% for male respondents and 6% among female respondents from a sexual minority. Again, Mustola & Vanhala (2004b) shows a link between perceiving discrimination and being open with one's sexual orientation, but regarding the level of perceived discrimination the ones being open with their sexual orientation perceived more discrimination (Mustola & Vanhala, 2004b, p. 52). Also in these results the level of discrimination was higher for men than women. As the results for observed discrimination are in line with this, this may possibly indicate that men face multiple forms of discrimination on the ground of sexual orientation and gender.

In Mustola & Vanhala (2004b), respondents who perceived discrimination on the ground of sexual orientation were furthermore asked to specify in which context discrimination had occurred at their workplace. The results for these questions are comparable to the results of the QWLS (Lehto & Sutela, 2008), which is based on a national-wide probability sample (see Section 2.1.1 for more discussion about sampling). As shown below in Figure 5, the level of perceived discrimination among persons belonging to a sexual minority is much higher than the level among the general population. Persons belonging to a sexual minority have perceived more discrimination in all situations.

Figure 5. Percentage of respondents who have **perceived** discrimination in their current organization related to the following situations. Results for the whole sample; Quality of Work Life Survey (Lehto & Sutela, 2008) and for sexual minorities Mustola & Vanhala (2004b).



However, it is important to note that surprisingly few of the respondents in Lehtonen & Mustola (2004) saw their sexual orientation as being the main cause for discrimination. None of the female respondent considered their sexual orientation as being the primary cause for discrimination in salary discrimination and in receiving information. Men regarded to a larger extent than women their sexual orientation to be the ground for discrimination and the difference was noteworthy especially in recruitment, where 25% of the male respondents and only 7% of the female respondents regarded their sexual orientation as being the main reason for discrimination. These results show that not all discrimination perceived by a certain minority group, such as in this case sexual minorities, needs to take place on the ground of their minority characteristics (sexual orientation). Partly this can be explained by the fact that women may not easily differentiate between discrimination on the ground of sexual orientation and gender (discrimination on the ground of gender was perceived by 32% of the female respondents belonging to a sexual minority) (Mustola & Vanhala, 2004b, p. 51). Unfortunately, the survey did not specify which the prohibited ground actually was perceived to be, if not sexual orientation. As discussed in Chapter 4, adding a question on which ground discrimination was perceived would give valuable information when trying to map discrimination perceived by a certain minority.

Discrimination on the ground of sexual orientation in termination of the employment was not included in Lehtonen and Mustola's (2004) study. No other study could be found specifically on discrimination in this context. In light of existing data it is therefore not possible to estimate the level of discrimination faced in termination on the ground of sexual orientation.

3.4.3 Conclusion

There are not many studies on discrimination faced by persons belonging to a sexual minority in Finland. There is, however, one study that explicitly addresses labor discrimination (Lehtonen & Mustola, 2004) and by using the same questions as in the QWLS, the results obtained from sexual minorities and from the general population can be compared. If the study was carried out again, it would allow for a comparison of the level of perceived discrimination among sexual minorities in relation to working life and allow for trend analyses.

According to these two sources, 2–19% of the workforce has observed discrimination against sexual minorities. The general population reported 2% observed discrimination on the ground of sexual orientation (Lehto & Sutela, 2008), while the survey that targeted sexual minorities reported a clearly higher level of observed discrimination; 17–19% (Lehtonen & Mustola, 2004). Out of persons belonging to a sexual minority, 14–24% perceived discrimination at work, most prominently in attitudes of colleagues and supervisors (see Figure 5). No research on discrimination in termination of the employment was found.

Regarding recruitment, one would think that sexual minorities do not face recruitment discrimination to a large extent, as this form of minority membership is more hidden than for example some forms of disabilities. Research still shows that almost a sixth of persons belonging to sexual minorities have perceived discrimination in recruitment (Mustola & Vanhala, 2004b). Interestingly, men both observe and perceive discrimination on the ground of sexual orientation to a larger extent than women, which may possibly be due to multiple discrimination against gay men on the grounds of gender and sexual orientation.

3.5 Religion, belief, opinion and other personal characteristics

As there is not much research on discrimination in the labor market on the ground of religion, belief, opinion and other personal characteristics, we discuss all these grounds together. Another reason for approaching these grounds together is that outlining a general degree of discrimination on each ground separately is restricted by the different ways in which various studies categorize these grounds.³⁶ When these grounds are combined in certain sources, it is impossible to distinguish on which ground discrimination has occurred. However, we acknowledge that from a legal perspective there are certain problems when clustering these grounds together. Regarding religion, none of the main surveys discussed in Section 2.1.1.1 includes religion as a prohibited ground. However, it needs to be emphasized that in certain cases it can be difficult to draw the line between discrimination on the ground of ethnicity and religion as they are in many cases interconnected.

Before analyzing the sources on labor discrimination on these grounds some concepts are briefly discussed. Belief is closely linked to opinion but can be regarded as a deeper philosophy of life and thus as being close to religion. Opinion, in turn, is in a labor discrimination context more general than a person's opinion on private matters, as the latter are not expected to affect working life to a large extent. As Kuoppamäki (2008) points out, opinion can lead to discrimination only when it has been expressed and as a prohibited ground opinion is usually understood in a wider context concerning opinions on societal matters. Therefore, it includes discrimination on the ground of political opinion. However, it is not always clear where the line between private opinions and more general opinions affecting, for example, the reputation of the work place is to be drawn. The loyalty of the worker towards her or his workplace and the management becomes essential in certain occupational fields, for example, for state officials. (Kuoppamäki, 2008.) The NDA also includes "other personal characteristics" as an additional and widely formulated ground. The government bill has, however, made clear that other personal characteristics

36 For example, Lehto & Sutela (2008) combine political opinion/trade union activity as one ground whereas SAK 2008 separates between belief (including political or other) and trade union activity. In addressing complaints received by the OSHDs Aaltonen et al. (2009a) use the category of other personal characteristics, not allowing for any further separation between family ties and trade union activity.

can include trade union activity (HE 44/2003) and family ties (HE 309/1993, see also Kuoppamäki, 2008).

From a monitoring point of view some of these prohibited grounds are challenging. When a person reports discrimination to the Occupational Safety and Health Division on the ground of, for example, opinion, there is room for interpretation on where to draw the line between what can and what cannot be regarded as opinion in the sense intended by legislation. The issue of whose mandate a discrimination complaint on the ground of family ties falls within also arises; is it the mandate of the Equality Ombudsman or the Occupational Safety and Health Divisions. The prohibited ground family ties includes taking care of children and therefore parallels the content of the Gender Equality Act (*Tasa-arvolaki*) concerning parenthood and family responsibilities (Ministry of Justice, 2010, p. 27). Regarding trade union activity, the content of the term is quite clear. However; it may also refer to persons not being members of a union and facing discrimination due to this. The OSHDs use the term included in the Criminal Code *industrial activity or other comparable circumstance*, which includes not only union active persons but everyone who is discriminated when trying to safeguard their rights at work. A look at the complaints reported to the OSHDs reveals that industrial activity is one of the most reported grounds for labor discrimination (see also Section 3.6.1).

3.5.1 Discrimination in recruitment

To find out about discrimination based on acting as an employee representative, which in practice often is connected to trade union activism, we re-analyzed the data from the QWLS (Lehto & Sutela, 2008) and separated the answers of respondents who reported acting as *employee representatives or holding other trustee positions* at the work place from the total group of respondents. The respondents were asked whether they had perceived discrimination or unequal treatment in their current organization related to recruitment during the last five years (see Section 2.1.1.2 for more details and contemplation on the formulation of the question). The results show that 7% of the women and 4% of the men who acted as employee representatives or who held other trustee positions perceived discrimination in recruitment (see Figure 6 on page 98). These figures do not differ from the answers of other men and women, meaning that employee representatives do not perceive more recruitment discrimination than other employees. Again, women perceived more discrimination than men, but acting as an employee representative was not connected to more perceptions of discrimination, implying that there is no multiple discrimination but that the difference is explained by gender only.

Regarding discrimination on the ground of religion, Jaakkola (2000) studied immigrants' perceptions of access to and conditions in the Finnish labor market using survey and interview data at the turn of the century (N = 301). When asked what the respondents believed hampered finding employment, 21% believed their

religion to be a very or rather important factor hindering finding employment in comparison to 65% believing their foreign origins to be a very or rather important factor hindering finding employment (Jaakkola, 2000, p. 61). However, it may be difficult to distinguish which factor actually is the decisive one, as religion and ethnic origin may overlap to some extent.

In the Eurobarometers of 2008 and 2009 respondents were asked which factors they believe may put a candidate at a disadvantage when a company has a choice between employing two equally skilled and qualified candidates. Regarding the results for 2009, 27% of the Finnish respondents regarded the expression of religious belief (for example wearing a visible religious symbol) to put the candidate at a disadvantage. Age (52%), disability (54%) or ethnic origin (52%) were seen as factors far more disadvantageous for candidates (for a more detailed comparison among the prohibited grounds and for a European comparison see Appendix B). In 2008, the results were reported separately for the population as a whole and for respondents in managerial positions. It is noteworthy that managers (presumably those in charge of recruitment in their organization) believed there to be more discrimination compared to the average respondent. Among the respondents in managerial position 35% regarded the expression of religious belief as putting a candidate at a disadvantage in recruitment compared to an average of 26% for the EU27 (Eurobarometer, 2008, p. 26–27). Religious belief was not distinguished from the other factors included in the survey as being high nor low (sexual orientation being at 22% and age at 51%, see Appendix B).

3.5.2 Discrimination at work

The Quality of Work Life Survey asks whether the respondents had observed discrimination happening to others at their work place and whether they perceive having faced discrimination themselves. Regarding observing discrimination, 4% of the respondents had observed discrimination in salary, recruitment, career advancement or access to training based on political opinion or being active in a trade union (see Table 10). In addition to the QWLS carried out in 2008, the same question was also asked in the previous survey in 2003. However, no major changes could be seen in the five year interval. (Lehto & Sutela, 2008.)

The re-analysis of the QWLS 2008 data shows that the respondents who themselves acted as employee representatives had not observed significantly more discrimination than other respondents. Also disabled or chronically ill men reported observations of discrimination on the grounds of political opinions or being active in trade unions statistically more frequently than other respondents. Table 10 also shows that 9% of men with foreign born parents had observed discrimination on the ground of political opinion or being active in a trade union. However, the difference to other men (4%) is not significant due to the small sample size, meaning that the result may also be due to chance. There seems to be a tendency for members

of minorities to more easily spot discrimination faced by others, as also shown in Section 3.3.4 on disability.

The QWLS data shows that regarding discrimination based on family ties or pregnancy, 7% of women and 2% of men had observed discrimination in salary, recruitment, career advancement or access to training in their own organization (see Table 10, whole sample) (Lehto & Sutela, 2008, p. 118). The difference in the proportion of men and women who have observed discrimination based on family ties or pregnancy supports the idea that people (in this case women) who themselves are subjected to discrimination are better in recognizing similar discrimination faced by others. A logical exception can be seen in the results of the re-analyses of the data where the percentage of elderly women observing discrimination on this ground was only 3% (Statistics Finland, 2008; Table 10). This is probably due to the fact that older women and people in their social environment are no longer taking care of children or their own ageing parents and hence are no longer potential victims of this kind of discrimination. The results from the QWLS 2008 allow for a comparison of the level of discrimination observed on the ground of family ties or pregnancy over the years, as the same question was asked in 2003 and in 1997. There seems to be a slight decrease from 7% to 5% between the years 1997 and 2003 for all respondents, after which the level has not changed. (Lehto & Sutela, 2008, p. 118.)

The level of discrimination observed on the ground of family ties or pregnancy are similar to the results showed in the union steward survey carried out by the Central Organisation of Finnish Trade Unions (SAK) in 2008, where labor discrimination observed on a similar ground (family ties and taking care of children or other relatives) was 7% (Central Organisation of Finnish Trade Unions, 2008, p. 17).

All in all, discrimination based on political opinion and trade union activism (4%) or family ties and pregnancy (5%) was less frequently observed than discrimination based on young (10%) or old (9%) age or female gender (7%) (for a comparison with other grounds, see Table A1 in Appendix A) (Lehto & Sutela, 2008, p. 118). This is partly explained by the fact that, unlike for age and gender, the proportion of trade union activists or pregnant women is far more limited in the total population and hence the number of potential victims is much smaller.

Table 10. Percentage of people who in their own organization have **observed** discrimination or unequal treatment related to salary, recruitment, career advancement or training based in political opinions, being active in a trade union or due to family ties or pregnancy. (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008)

	Whole sample 2008, % (2003) [1997]			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representatives, %		Chronic disease/ disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Political opinions or being active in trade union	4 (4)[-]	4 (3)[-]	4 (4)[-]	3	3	5	4	3	9	6	5	5	6**
Family ties or pregnancy	5 (5)[7]	7 (7) [10]	2 (3)[3]	10	1	3***	2	7	2	8	3	7	3
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

F=female; M=male. * = p < .05; ** = p < .01; *** = p < .001 when compared to the opposite group, for example employee representative women to other women. The differences between men and women in the whole sample were not statistically significant. For opposite groups' figures, see Table A1 in Appendix A.

In addition to the observed level of discrimination, the re-analysis of the data in the QWLS 2008 assesses the perceived level of discrimination among the respondents with two separate questions. First, the respondents who had observed discrimination in their organization were asked whether they personally had experienced unequal treatment on a certain ground. The results are shown in Table 11, where we have included the results from the re-analyses of the QWLS for the separated groups of those of young and old age, foreign origin, employee representatives and persons with chronic diseases/disabilities. Table 11 shows that 1% of all employees reported having faced discrimination in their current job based on their political opinion, trade union activism, family ties or pregnancy. Logically, the employee representatives perceived discrimination more often (2%, men significantly more) than others. Equivalently, women perceived significantly more (2%) discrimination based on family ties and pregnancy than men. (Statistics Finland, 2008.)

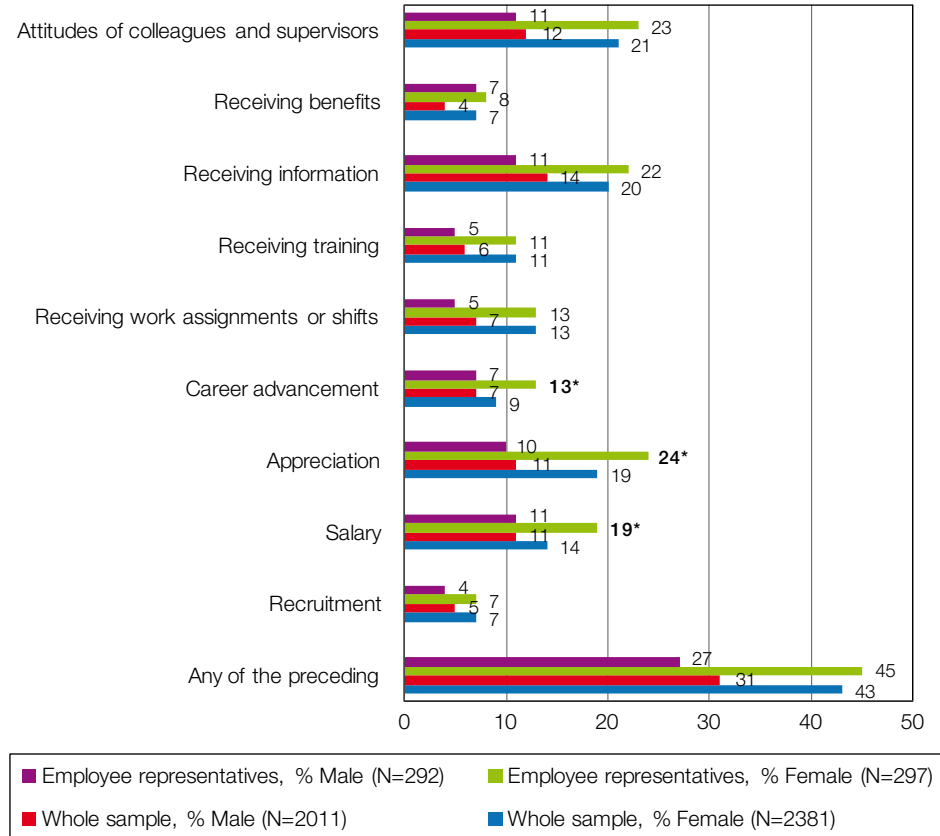
Table 11. Percentage of people who have **perceived** discrimination in their current organization on the ground of political opinions, trade union activism, family ties or pregnancy during last five years (Statistics Finland, 2008)

	Whole sample, %			Young age (16–24), %		Old age (55–64), %		Foreign origin, %		Employee representatives, %		Chronic disease/disability, %	
	All	F	M	F	M	F	M	F	M	F	M	F	M
Political opinions or being active in trade union	1	1	1	1	0	2	1	0	2	2	2**	2**	1
Family ties or pregnancy	1	2^{aaa}	0^{aaa}	1	1	0**	0	3	2	2	1	1	1
N	4392	2381	2011	193	165	456	368	57	59	297	293	787	640

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example employee representative women to other women. aaa = $p < .001$. when men and women are compared to each other. For opposite groups' figures, see Table A3 in Appendix A.

Secondly, all respondents were asked whether they had faced discrimination in their current job during last five years in specific situations. With this question the results seem very different (see Figure 6). As argued also elsewhere (Section 2.1.1), the discrepancy in the results of the two different discrimination questions can be explained by the fact that a more detailed question activates memory more efficiently. In contrast to the 1–2% presented above, women acting as employee representatives or holding other trustee positions at the work place, perceived discrimination on average most frequently of all respondent groups. For example, 24% of these women felt discriminated against in the appreciation of their work and they perceived significantly more discrimination than other women in salary and career advancement. Men acting as employee representatives or holding other trustee positions at the work place perceived less discrimination than the women, but they did not differ significantly from the average of other men.

Figure 6. Percentage of people acting as employee representatives or holding other trustee positions at work who have **perceived** discrimination or unequal treatment in their current organization related to the following situations (Statistics Finland, 2008; for the whole sample Lehto & Sutela, 2008, p. 118).



* = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example women who act as employee representatives versus other women. For further details and a comparison with other groups of respondents, see Table A2 in Appendix A.

The results in Figure 6 indicate the possibility of multiple discrimination as they show that acting as employee representatives or holding other trustee positions at the work place make only women (but not men) perceive more discrimination than the other respondents. This interpretation is, however, only modestly supported by the results regarding perceptions of gender equality at work (see Table A5 in Appendix A). Although the percentage thinking that gender equality has materialized badly (12%) or that their supervisor does not treat men and women equally (14%) is higher among women acting as employee representatives than those women who do not, the difference is not statistically significant.

The survey carried out by the Central Organization for Finnish Trade Unions in 2008 (N = 415 union stewards representing about 100 000 employees) maps discrimination observed by the union stewards both on the ground of belief (including political) and trade union activity. Only 2% of the union stewards had observed discrimination on the ground of belief. In comparison to trade union activity the level was much higher with 8% of the union stewards having observed discrimination on this ground. (Central Organisation of Finnish Trade Unions, 2008, p. 17.)

3.5.3 Conclusion

There seems to be little research on discrimination in working life on the ground of religion, belief, opinion or other personal characteristics. One challenge when trying to estimate the degree of discrimination on these grounds is the different categorization of the grounds in various sources.

Our re-analyses of the QWLS 2008 data show that employee representatives or persons holding other trustee positions do not perceive discrimination to larger extent in recruitment than do other persons (Statistics Finland, 2008). Other research addressing religion as a factor hampering finding employment shows that roughly a fourth of the respondents regarded religion as a factor hindering finding employment. However, religion was not seen as very disadvantageous compared to the other factors. (Jaakkola, 2000; Eurobarometer, 2009.)

The observed level of discrimination on the ground of political opinion or/and trade union activity was 4–8% and on the ground of family ties around 5–7% (Lehto & Sutela, 2008; Statistics Finland, 2008; Central Organisation of Finnish Trade Unions, 2008). Regarding the level of perceived discrimination on the ground of political opinion/being active in a trade union or family ties/pregnancy (only mapped through our re-analyses of the results in the QWLS 2008) was very low, with only 1–2% of the respondents acting as employee representatives perceiving discrimination on this ground (Statistics Finland, 2008). However, out of persons acting as employee representatives or holding other trustee positions at their work place, 45% of women and 27% of men had perceived discrimination at work (ground not specified, see Figure 6). No sources addressing discrimination in termination of a contract on the prohibited discrimination grounds discussed in this section were found.

3.6 Formal complaints

In this section we focus on complaints reported to bodies monitoring labor discrimination. We have collected information from 2010 from the five Occupational Safety and Health Divisions, which monitor compliance with legal regulations in working life. These complaints are treated in detail below. Furthermore, we have collected statistics on crime reports and criminal court cases on labor discrimination and extortionate work discrimination between 2005 and 2010.

3.6.1 Occupational Safety and Health Divisions

In Finland, the Occupational Safety and Health Divisions (OSHD) at the Regional State Administrative Agencies gather essential information on labor discrimination, as they are the primary institutions monitoring compliance with the minimum conditions in working life. The complaints received by the OSHDs are in this report approached through three sources; the report by Aaltonen et al. (2009a), new information collected directly from the OSHDs and the summaries of complaints concerning discrimination made annually in the OSHD of Southern Finland (2011a).

Monitoring and identifying well-being at work and specifically labor discrimination has only during the last decade become an issue for the OSHDs as they previously have mostly monitored compliance with minimum technical and mechanical safety standards (Mannila, 2007). Assessing the level of discrimination through complaints has not been the main priority for these institutions and the material included in the complaints register has served mainly the inspectors' own needs.

However, as shown by the pilot study carried out by the Finnish League for Human Rights in 2009 there is large potential in the complaints gathered by the OSHDs to assess and monitor discrimination. The data in the complaints register could, with only slight changes in entering the data into the complaints register, be used more efficiently as a tool for assessing discrimination (Aaltonen et al., 2009a). In their report, Aaltonen et al. give recommendations on how to make the complaints on discrimination more easily accessible for future monitoring, for example, by harmonizing the short description text for each case documented in the register. When the description text is harmonized and also includes information on the prohibited ground and context, there is no need for the researcher/inspector to go through all papers in a single case in order to find essential information on discrimination; prohibited ground and context. In addition, Aaltonen et al. (ibid.) suggest that the description text should be updated according to the process of the complaint as the prohibited grounds or other circumstances might change as the investigation proceeds.

Certain amendments to the national register system of the OSHDs are currently being prepared by the Ministry of Social Affairs and Health. The new system (VERA-*valvontatietojärjestelmä*), which works alongside the complaints register (*diaarijärjestelmä*) is a register solely for the inspection reports. This will make information collection for monitoring purposes easier in the future, as the inspection reports distinguishes grounds for and context of discrimination.

By analyzing the "life cycle" of all complaints on discrimination received by the OSHDs one could acquire a picture of the various stages of the handling process, including the following:

- (a) The perceived discrimination by the individual contacting the OSHD.
- (b) Whether or not the inspector has, on the basis of the information received by the employee, reason to believe that discrimination has occurred and started

to investigate the case (most often done by sending a request for information (*selvityspyyntö*) to the employer).

- (c) Whether the inspector after investigating the case by objectively legal standards finds that discrimination has occurred, relying on the provisions in Section 17 in the Non-Discrimination Act setting the burden of proof. When it may be presumed that the prohibition of discrimination has been infringed, the defendant (employer) must demonstrate that the prohibition has not been infringed. If this cannot be done, the employer is given a written advice issued by the inspector.
- (d) Whether or not the OSHD believes that the case would fulfill the definition of a crime and a notice is made to the police.

With the current record system the process of analyzing the whole life cycle of a complaint is very laborious. Currently it is not even possible to get information on the perceived discrimination (even if it does not lead to action) by analyzing all reported complaints of discrimination, as to this date only the OSHD of Southern Finland registers all complaints. The pilot study carried out by Aaltonen et al. (2009a) addresses complaints on discrimination, harassment or inappropriate treatment where a prohibited ground could be identified and where the inspector after investigating the case find that discrimination has occurred by objectively legal standards. Aaltonen et al. include in their 2008 study information on complaints from four of the eight industrial safety districts existing at the time, which covered around 68% of the monitored subjects (*valvontakohteet*) during the period 1.1.2008–30.8.2009. The report also includes information on monitoring initiated by the authorities (*viranomaisaloitteinen valvonta*). The results of the pilot report give for the first time detailed information about what grounds are most prevalent in the complaints and in what context discrimination seems to occur most.

In order to get an overview of the complaints reported to the OSHDs in 2010 on a national level, information was requested from each of the currently five OSHDs (the Regional State Administrative Agencies Occupational Safety and Health Divisions for Southern, Eastern, Western and Inland, Southwestern and Northern Finland). From all other OSHDs the information on complaints was sent to the authors of this report by an inspector, but due to the large amount of complaints reported to the OSHD of Southern Finland, the complaints data was collected from the register by one of the writers of this report.³⁷

As it was not possible to analyze the whole “life cycle” of the complaints due to a restricted timetable, it was considered most interesting to get information on the cases where the subjective discrimination experience of the customer had coincided with the inspector’s “objective” evaluation of the case, i.e., the cases where the inspector had reason to believe that discrimination occurred and started

37 This was done by spending three working days at the OSHD of Southern Finland where the complaints concerning discrimination on a certain ground and leading to a request for information to the employer in 2010 were picked from the register.

investigating the case by sending a request for information to the employer. These new data are analyzed together with the report carried out by Aaltonen et al. (2009a) and the OSHD of Southern Finland (2011a), even though they are not directly comparable³⁸ in order to see if the same tendencies are visible in all three sources on OSHD complaints.

Table 12. Number of discrimination complaints reported in 2010 where a request for information (*selvityspyyntö*) has been sent to the employer. The percentages of Finnish wage earners monitored by each OSHD are given in brackets (Source for the percentage of wage earners: Haavisto, 2011)

	SFOSHD (45.9 %)	SWFOSHD (13.2 %)	NFOSHD (10.8 %)	EFOSHD (9 %)	WFOSHD (21.2 %)	TOTAL
Health status	49	2	0	4	6	61
Industrial activity or a comparable circumstance ¹	16	0	1	3	0	20
Ethnicity ²	6	2	0	4	3	15
Age	10	1	1	1	0	13
Gender ³	11	0	0	1	0	12
Opinion	2	5	0	3	0	10
Family ties	3	0	0	1	0	4
Disability	2	0	0	0	0	2
Religion	1	0	1	0	0	2
Sexual orientation	2	0	0	0	0	2
In total:	(102) ⁴ 87	10	3	17	9	(141) ⁴ 126

(SFOSHD= Southern Finland Occupational Safety and Health Division, SWFOSHD= Southwestern Finland Occupational Safety and Health Division, NFOSHD= Northern Finland Occupational Safety and Health Division, EFOSHD= Eastern Finland Occupational Safety and Health Division, WFOSHD= Western and Inland Finland Occupational Safety and Health Division)

1 Industrial activity or a comparable circumstance including trade union activity, discrimination against union stewards and industrial safety delegates, discrimination because of having complained or taken action to safeguard equality

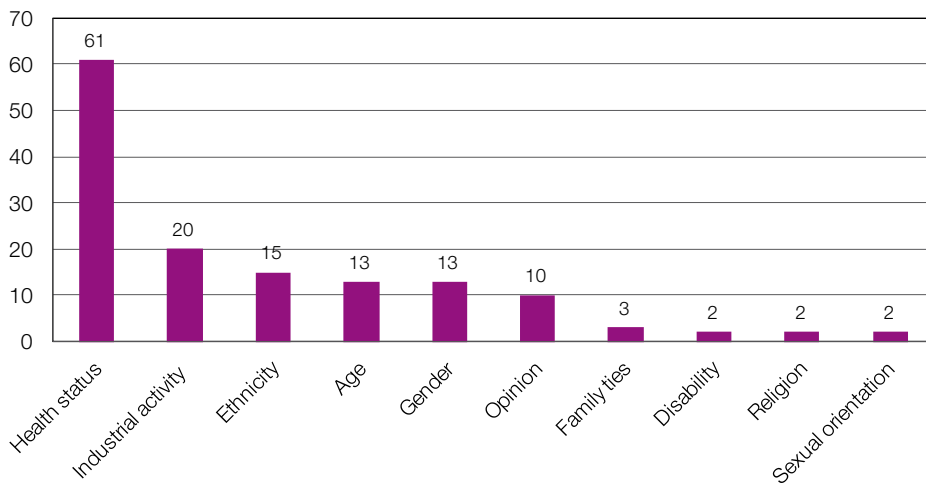
2 Ethnicity including language and nationality

3 Gender including pregnancy and family relations such as parental leave (to the extent the ground falls under the mandate of the OSHDs)

4 15 of the 102 cases of SFOSHD concerned multiple forms of discrimination. These cases are mentioned twice. The total number of cases leading to request for information in the SFOSHD is thus 87.

38 Firstly, Aaltonen et al. (2009a) focused on only certain OSHDs, not including all. Secondly, the 2010 administrative reform turned the Occupational Safety and Health Inspectorates into Occupational Safety and Health Divisions under the Regional State Administrative Agencies and both the size and boundaries of the districts changed, which means that the districts analyzed in 2008 no longer existed in 2011. Thirdly, Aaltonen et al. analyzed complaints at a different stage in the handling process (where the inspector by investigating the case not only believed that discrimination had occurred but also had taken an enforcement action, e.g., issued a written advice to the employer) than the ones in this report. Furthermore, the results in the report on the complaints of the OSHD of Southern Finland (2011a) are only to some extent comparable with the information in Table 12 as that report only analyzes the subjective discrimination experience of the customer (2009a).

Figure 7. Total number of complaints reported on the different prohibited grounds to the OSHDS in 2010 (leading to a request for information from the employer)



The most common ground for discrimination in the 126 complaints leading to a request for information in 2010 was clearly health status (48% of all complaints). This is in line with the report by Aaltonen et al. (2009a, p. 28) where 32% of the complaints concerned health status (N = 127). In Aaltonen et al., ethnicity was an equally common ground as health status (32%) as the report in addition to complaints reported by the customers also included proactive workplace monitoring carried out by the inspectors, which increased the results for ethnicity. The level of discrimination on the ground of ethnicity can thus not be directly compared across all three sources on complaints used in this report as the other two sources (except Aaltonen et al., 2009a) only deal with reported cases of ethnic discrimination. Health status has also for several years been the most common ground (42%, N = 152) for discrimination in the complaints reported by employees to the OSHD of Southern Finland (OSHD of Southern Finland, 2011a). A typical example of a case concerning discrimination on the ground of health status was an employer terminating a contract due to the employee's sick leave (Aaltonen et al., 2009a; OSHD of Southern Finland, 2011a). It seems that people's knowledge of their rights is high when they are discriminated on the ground of health (e.g., wrongful dismissal due to sick leave) (Aaltonen et al., 2009a). One reason might also be that proving discrimination on the ground of health is slightly easier than, for example, on the ground of ethnicity, if you have a medical certificate confirming and approving your absence. Unequal treatment due to health status can also be regarded as less "socially acceptable" than unequal treatment on the ground of, for example, one's language.

Other common discrimination grounds in complaints reported to the OSHDs were industrial activity or a comparable circumstance and gender (to the extent the ground falls under the mandate of the OSHDs). Aaltonen et al. (2009a) report 17% of the cases to concern other personal characteristics including trade union activity, and according to the OSHD of Southern Finland (2011a), 12% reported discrimination on the ground of industrial activity or a comparable circumstance. In light of the information received from all OSHDs on cases leading to a request for information in 2010, industrial activity or a comparable circumstance was the prohibited ground in 16% of the cases. The reason behind the high level of reported discrimination on the ground of trade union activity is most likely due to the fact that persons active in unions as well as union stewards are highly aware of their rights. A common case was when an employee complained or took action to safeguard equality at her or his workplace (OSHD of Southern Finland, 2011a). Discrimination on the ground of age is also reported to some extent; 9% by Aaltonen et al. (2009a), 11% by the OSHD of Southern Finland (2011a), and 11% of all cases reported by the OSHDs. All three sources of information on complaints received by the OSHDs show clearly that disabled persons and persons belonging to a sexual minority do not report their discrimination perceptions to any notable extent to the OSHDs. The clear over-representation of health status as the ground in the complaints should not be interpreted to indicate that discrimination on this ground is *de facto* the most common form of discrimination, merely that certain minorities facing discrimination, such as disabled persons, do not report their complaints to the OSHD.

Regarding the complaints received and leading to a request for information by the OSHDs in 2010, sexual orientation was the ground for discrimination in only two cases. Aaltonen et al. (2009a) show the same tendency, namely, that persons facing discrimination due to their sexual orientation do not report their cases to the OSHD; only two cases were reported (Aaltonen et al., 2009a, p. 28). In the survey carried out by Lehtonen & Mustola (2004) respondents were asked if they had reported their perceived discrimination on the ground of sexual orientation to anyone. Most victims of discrimination had reported their case to colleagues or their manager, whereas the OSHD was the least contacted place (other options being trade union, union steward, occupational health care, NGO) (Mustola & Vanhala, 2004b, p. 55).

Some of the cases reported to the Southern Finland Occupational Safety and Health Division are mentioned twice as they concern multiple forms of discrimination (15 cases out of 99). The most common ground for multiple forms of discrimination was health status (10 cases) in combination with various other grounds. The second most common ground was industrial activity or a comparable circumstance (6 cases) in combination with another ground. However, no clear pattern was visible among the complaints concerning multiple forms of discrimination (2 cases on industrial activity or a comparable circumstance and age, 3 on industrial activity or a comparable circumstance and health status, 1 on industrial activity or a comparable circumstance and gender, 1 on industrial activity or a comparable circumstance and

sexual orientation, 2 on health status and ethnicity, 2 on health status and gender, 1 on health status and family ties, 1 on health status and age, 1 on health status and disability and 1 on age and gender). Interestingly, no other OSHDs reported cases on multiple forms of discrimination.

The number of complaints leading to a request for information is considerably higher in the OSHD of Southern Finland (69% of all complaints) than in other OSHDs. Similar results were shown in Aaltonen et al. (2009a) where 61% of the cases analyzed came from the OSHD of Southern Finland. One reason for this is that the OSHD of Southern Finland is the largest OSHD monitoring nearly half of the wage earners in Finland (45.9%, see Table 12). However, this alone can hardly be the only reason and certain questions arise, as also discussed in Aaltonen et al. (2009a). Does discrimination simply occur more in this area of the country? Are people in Southern Finland more aware of their rights and thus report more frequently? According to Aaltonen et al. (2009a) there were no signs of the OSHD of Southern Finland having a lower threshold to start investigating the case than other OSHDs. What can be pointed out in this context is that the forthcoming national guidelines on the supervision of discrimination cases (*syrjinnän valtakunnallinen valvontaohje*) will unify the approach towards monitoring discrimination on a national level.

Both in the report by Aaltonen et al. (2009a) and the one by the OSHD of Southern Finland (2011a), discrimination seems to be most common in termination of a contract. Altogether 38% of the complaints in the former report concerned unlawful dismissal or persons being laid off (Aaltonen et al., 2009a, p. 33). In the report by the OSHD of Southern Finland (2011a), an even larger part of the complaints concerned termination; 59%. Concerning the information received by the OSHDs on complaints leading to request for information the context was not specified (despite specification requested). Only for the part of the OSHD of Southern Finland could the context be specified as one of the authors of this report carried out an analysis of the complaints, and here the same pattern could be observed; a total of 72% of the cases concerned termination of employment.

In comparison, discrimination in recruitment is rarely reported. The report by Aaltonen et al. (2009a) shows that only 9% of the analyzed complaints were related to recruitment discrimination and 34% to conditions at work. One reason for not reporting discrimination in recruitment may be that the victim does not have the support of a union steward, as is the case when becoming an employee (Aaltonen et al., 2009a). Alternatively, she or he simply cannot demonstrate that discrimination has occurred. The same tendency of non-reporting is visible in the report by OSHD of Southern Finland (2011a) where only 11% of the complaints concerned recruitment discrimination. This actualizes the question of how to lower the threshold of bringing a complaint on recruitment discrimination to the OSHD. Aaltonen et al. (2009a) propose introducing a low-threshold monitoring body specialized in dealing with complaints regarding recruitment discrimination. The OSHD of Southern Finland has emphasized the issue of recruitment discrimination in its comments

to the proposed new Equal Treatment Act. In order to provide a legally stronger protection against recruitment discrimination it is proposed that a legally specified requirement for the employer to provide an explanation on why a certain applicant was not chosen should be considered. (Ministry of Justice, 2010.)

Aaltonen et al. (2009a) scrutinized also discriminatory job announcements. During the period between 1.1.2008 and 31.8.2009 a total of 95 job announcements were handled by the OSHDs. Several of the job announcements were discriminatory, i.e., included requirements not relevant for the ability to carry out the tasks in question. A common case reported by Aaltonen et al. was that the announcement included a request for a photograph of the applicant or specific information on military service (49%, N = 95). In 19% of the cases the employer required excellent knowledge of Finnish or Finnish as mother tongue. In none of the cases could the language requirements be justified which resulted in the inspector issuing a written advice to the employer. Another typical feature seemed to be a preferred age of the applicant, for example 18–30 years. The vast majority of the discriminatory job announcements came from the private sector (88%). (Aaltonen et al., 2009a, p. 38.)

Aaltonen et al. show that out of the 127 cases analyzed (where the inspector by investigating the case believed that discrimination had occurred and had taken an enforcement action e.g., issued a written advice to the employer) almost every single case was further reported to the police (94%). Four percent of the cases were not considered to fulfill the criteria set in the Criminal Code on labor discrimination and in these cases the inspector regarded it sufficient to issue a written advice to the employer. Two percent of the cases were still being handled. (Aaltonen et al., 2009a, p. 33.)

In addition to the individual complaints received by the OSHDs, discrimination on the ground of foreign origin is monitored through the supervision of workplaces carried out by the OSHDs inspectors. This form of authority-led supervision carried out by inspectors has focused on certain occupational fields where a large proportion of the workers are assumed to be foreign (restaurants, cleaning, transport, construction and metal trade). The supervision which is intended to detect possible shortcomings in compliance with legal regulations is one form of monitoring labor discrimination. In the OSHD of Southern Finland 461 inspections was carried out in 2010 by the team of inspectors supervising foreign workers. In 51% of the cases, the tip came from other persons or actors such as, e.g., the work permit unit, the tax administration, labor market organizations or private persons. The inspections carried out showed shortcomings, for example, in relation to accountancy and book-keeping, which makes supervision of salaries paid very challenging. Other problems encountered were lack of information among foreign employers on terms of employment for foreign workers in Finland (OSHD of Southern Finland, 2011b). In a labor discrimination context, the report of the OSHD of Southern Finland shows certain weaknesses in compliance with legal regulations and thus gives an overall impression that labor discrimination occurs among foreign workers. However, as

the report of the OSHD of Southern Finland does not specify how many cases (out of the total 461) concerned specifically discrimination, further information on the level of discrimination perceived or observed among foreign workers cannot be obtained. The amendments to the national register of the OSHDs currently being carried out will make the results of the inspections more easily available. In the new national VERA-register information can more easily be gathered on the number of written instructions given to the employers due to shortcomings, and whether the instructions included specifically labor discrimination.

3.6.2 Reports of offences and court cases

In this section we include statistics on reports of offences filed with the police and court cases on labor discrimination. It should be pointed out that the number of court cases in the tables below gives a narrow picture of the phenomenon of labor discrimination in courts, as they cover only cases on labor discrimination according to the Criminal Code Chapter 47, Paragraphs 3 and 3a. Besides these cases, there are plenty of cases related to labor discrimination but being processed mainly as, for example, cases of unlawful dismissal or breaking working time regulations. Furthermore, the Labor Court deals with cases touching upon labor discrimination as it monitors enforcement of the agreement covering conditions of employment. This is the case also with the Administrative Courts and the Supreme Administrative Court where several cases touch upon labor discrimination. In addition, cases on compensation under the NDA give valuable information on labor discrimination.³⁹ However, it was not possible in the framework of this report to go through all cases concerning various other matters, such as industrial safety, inauguration, salary or working hours, which may also touch upon discrimination.

When monitoring labor discrimination the information obtainable from reports of offences and number of court cases does not as such give information on the level of discrimination. This information primarily shows the top of the iceberg as the threshold to file a complaint on discrimination remains high. Over a longer time span, they can serve as indicators of whether the current legal system functions satisfactorily and serves as an efficient legal protection for victims. The number of reports of offences on labor discrimination and extortionate labor discrimination (Criminal Code Chapter 47, Paragraphs 3 and 3a) made to the police between 2005 and 2010 are shown in Table 13. They are followed by the number of labor discrimination and extortionate work discrimination cases handled in Finnish District Courts and Courts of Appeal between 2005 and 2010. Here it needs to be pointed out that the numbers of court cases and reports of offences are not directly comparable as the observation unit (*havaintoyksikkö*) differs. In court cases the observation unit is the

39 Several actors, e.g., the Central Organisation of Finnish Trade Unions SAK, have collected information on discrimination cases on compensation under the NDA. However, as this information may not include all cases handled within a certain period of time, it was not suitable for monitoring purposes.

suspect (Aaltonen et al., 2009) while the police statistics that we present use the report of offences (*rikosilmoitus*), which may sometimes include several suspects, as the observation unit.

Table 13. Reports of offences concerning labor discrimination or extortionate work discrimination 2005–2010

Report of offences	2005	2006	2007	2008	2009	2010	Total
Labor discrimination	47	59	70	63	55	74	368
Extortionate work discrimination	5	14	14	14	45	31	123

Information received from the Police College of Finland, Statistics department (POLSTAT, 2011)

Table 14. Labor discrimination and extortionate discrimination at work in District Courts 2005–2010

	2005	2006	2007	2008	2009	2010	Total
Labor discrimination	11	13	14	17	25	24	104
Extortionate work discrimination	0	1	0	4	11	3	19

Information received from the Legal Register Centre (Oikeusrekisterikeskus), 2011

Table 15. Labor discrimination and extortionate work discrimination in the Courts of Appeal 2005–2010

	2005	2006	2007	2008	2009	2010	Total
Labor discrimination	1	3	4	8	7	9	32
Extortionate work discrimination	0	0	0	1	3	4	8

(Adapted from Savilampi, 2010)

As shown in Table 13, the reports of offences filed to the police on labor discrimination increased between 2005 and 2007. In 2008 and 2009 the number declined, but in 2010 the number of reports of offences reached its peak with 74 offences reported to the police compared to 47 in 2005. Considerably fewer reports of offences were reported to the police on extortionate work discrimination, especially in 2005. The same increase in the number of offences reported since 2005 are, however, visible also for extortionate work discrimination (POLSTAT, 2011.) The increase in the number of reports of offences made to the Police are also clearly visible in the rising number of court cases on both labor discrimination and extortionate work discrimination handled in District Courts and in Courts of Appeals between 2005–2010. (Legal Register Centre, 2011; Savilampi, 2010.)

The increasing number of cases could be interpreted as indicating raised “awareness” of labor discrimination issues among the police carrying out the primary

investigation or among prosecutors. However, without more knowledge on, for example, increased education on these issues one cannot draw further conclusions in this matter. The only conclusion possible to make is that, in general, court cases and also customer reported cases to the largest OSHD (Southern Finland) have increased during the last years.

Regarding the materials collected on court cases, it has not been possible within the framework of this report to analyze the content of each case, but only to give numbers of the cases handled in District Courts and in Courts of Appeal. In order to get detailed information on the content of the court cases on labor discrimination we turn to existing sources. Aaltonen et al. (2009b) have analyzed all cases on labor discrimination handled in District Courts during the year 2007. In total 13 cases were handled in the District Courts in 2007, including 16 complainants. In these cases three prohibited grounds which are relevant for this report could be distinguished; other personal characteristics including industrial activity or a comparable circumstance (5 cases), health status (4 cases) and ethnicity (3 cases). Half of the cases concerned discrimination at work, 45% concerned unlawful dismissal and only one of the cases concerned recruitment. (Aaltonen et al, 2009b, p. 31.)

Savilampi (2010) has analyzed in detail labor discrimination cases in the Courts of Appeal between 2005 and 2010. Altogether 32 cases specifically on labor discrimination were handled in these courts. The same prohibited grounds could be distinguished here as in Aaltonen et al. (2009b); health status, industrial activity or a comparable circumstance (other personal characteristics), gender and ethnicity. A clear majority of cases (13 cases) handled in the Courts of Appeal concerned health status. Gender was the prohibited ground in 8 cases and industrial activity or a comparable circumstance (other personal characteristics) in 7 cases. Ethnicity (national or ethnic origin) was the prohibited ground for labor discrimination in 4 cases.

3.7 Conclusion

In Table 16, we have sought to summarize the degree of discrimination in Finnish working life based on some of the most central surveys and official complaints information. Certain general trends emerge. Age (young and/or old) and disability/health status seem to be the most common grounds for observed discrimination in working life. Regarding disability/health status it is essential to note that the high level of observed discrimination (13%) is mostly due to the fact that the two are clustered together as one ground. A survey using only the ground of disability displays a much lower proportion (3%).

The fact that age is such an eminent prohibited ground is hardly surprising considering the size of the groups with old or young age, compared to small minorities for which levels of observed or witnessed discrimination are often lower in national representative samples. Considering the small proportion of the population who

belong to ethnic minorities, it is striking that the amount of observed discrimination based on ethnicity or language is in the same range as that towards young and old people. When the figures are put in relation to the small size of the immigrant population in Finland, it is clear that a substantial amount of discrimination against ethnic minorities is observed.

Table 16. Summary of the level of (observed and registered) discrimination in working life on each of the prohibited grounds, including the complaints reported to the Occupational Safety and Health Divisions in 2010

	Percentage of observed discrimination			Number of complaints reported to the OSHDs in 2010 ¹
	A)	B)	C)	
Age (young or old not specified)			11 %	13
Young age	10 %	6 %		
Old age	8 %	8 %		
Language	6 %			
Ethnicity	4 %	8 %		
Ethnicity including language			2 %	15
Health status				61
Disability/health status			13 %	
Disability	3 %			2
Sexual orientation	2 %		2 %	2
Political opinion/trade union activity	4 %			
Opinion				10
Religion or belief			2 %	2
Trade union activity			8 %	20
Family ties	5 %		7 %	3
N	4392	1053	415	126

¹ These numbers only include those complaints which have resulted in a request for information (*selvityspyyntö*) from the employer.

A) Quality of Work Life Survey 2008: "Have you observed discrimination or unequal treatment in your work organization based on...?"

B) Working Life Barometer 2010: "Do you think that discrimination or unequal treatment occurs in your work organization based on...?"

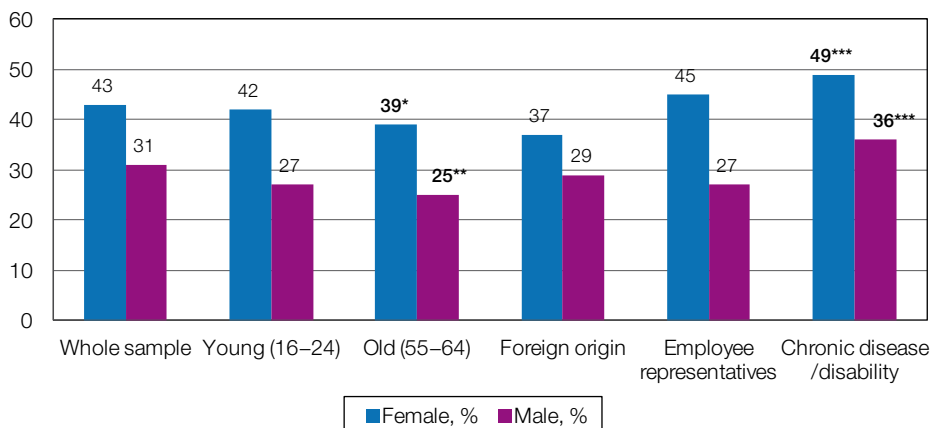
C) Central Organisation of Finnish Trade Unions, Union Steward Survey 2008: "Have employees been placed in unequal positions without proper reason at your workplace (based on the following grounds...)?"

The most comprehensive Finnish labor force survey is the Quality of Work Life Survey (QWLS) carried out by Statistics Finland. The data enables trend analysis over the years and shows that the level of perceived discrimination has been rising, with the steepest increase between 1997 and 2003. For example, discriminatory attitudes have been reported with growing frequency. Only in recruitment and appointments did the level of perceived discrimination decrease between 2003 and 2008. (Lehto & Sutela, 2008.)

According to existing research results it seems that almost ten percent of employees in Finland have observed age discrimination at their workplace. QWLS results show that the trend for observed discrimination has been declining with regard to old age and increasing with regard to young age since the late 1990's. For the first time in 2008, higher figures of observed discrimination were reported on the ground of young age (10%) as compared to old age (9%) in the QWLS (Lehto & Sutela, 2008, p. 118). Also when it comes to perceiving discrimination directed at oneself, young employees report somewhat more discrimination than do old employees (Statistics Finland, 2008; Lehto & Sutela, 2008, p. 117). Furthermore, our re-analysis of the QWLS data shows that young employees aged 16–24 reported more dissatisfaction at work than did old employees 55–64 of age. For example, 16% of young respondents reported dissatisfaction in their work in relation to possibilities for professional development, in comparison to 10% of old employees (see Table A4 in Appendix A).

Furthermore, young people – especially young women – seem to be particularly vulnerable to discrimination at work because of the type of work contracts. Young women are well represented among those with temporary contracts, who according to the QWLS (Lehto & Sutela, 2008) and the Working Life Barometer (Ylöstalo & Jukka, 2011) are among the groups facing most discrimination. Furthermore, as shown in Figure 8 below, both young and old women report more discrimination than do young and old men.

Figure 8. Percentage of people who have perceived discrimination or unequal treatment in their current organization (Statistics Finland, 2008) ('Any of the preceding situations' in Table A2 in Appendix A.)



* = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example young women to other women. For opposite groups' figures, see Table A2 in Appendix A.

Figure 8 shows a comparison of perceptions on discrimination between the groups of respondents we separated in our re-analysis of the Quality of Work Life 2008 data (Statistics Finland, 2008). Women with a chronic disease or disability had perceived most discrimination, while old men (55–64 years old) had perceived least. Roughly 40% of all women and 30% of all men had perceived discrimination in their current work place. Overall, women belonging to minority groups seem to perceive more discrimination during the employment than do men. The high percentage of perceived discrimination among those with a disability or chronic disease is in line with the amount of official complaints reported to the Occupational Safety and Health Divisions, where 48% of all complaints concerned health status in 2010. It must, however, be kept in mind that the perceptions of discrimination presented in Figure 8 are connected to work-related situations instead of prohibited grounds (see also Section 2.1.1.2). This means that we cannot argue that, for example, all discrimination perceived by old employees was due to age as a discrimination ground.

As a concluding remark it needs to be emphasized that research on discrimination in Finland would benefit significantly from central coordination and a long-term approach. The overall impression is that, to this date, most research produced on labor discrimination in Finland is descriptive in nature rather than aiming at assessing the *amount* of discrimination. The resources available for obtaining a holistic picture of the level of labor discrimination are thus limited. Two challenges emerge as central in this regard. Firstly, the research is fragmented because studies mostly focus on only one ground, thus not providing comparable data across the prohibited grounds. Secondly, the definitions of the discrimination grounds vary between sources (as also discussed by Aaltonen et al., 2009a). For example, some survey questions treat old and young age or disability and health status together, although it would be more informative to treat these separately. Thus, outlining the level of discrimination on each of the prohibited grounds set in the NDA, as we have striven to do in this report, is realizable only to the extent that sources are comparable. Next, we repeat the most central findings according to context (recruitment, at work, in termination) and prohibited ground.

Recruitment

As has been noted by Aalto et al. (2010) there is not much research on discrimination in recruitment in the national context compared to the international level. Even though research points to discrimination in recruitment, the OSHDs have not received many complaints related to the recruitment stage. Only 9–11% of the complaints that have been filed with the OSHDs concern discrimination in recruitment. (Aaltonen et al., 2009a; OSHD of Southern Finland, 2011a.)

Age. Our re-analysis of data from the Quality of Working Life Survey 2008 indicates that 7% of working old women and 5% of working young women perceived discrimination in recruitment in their current organization. In contrast, only 1–2%

of old and young men perceived discrimination in recruitment. (Statistics Finland, 2008.) This indicates the possibility of multiple recruitment discrimination against women on the grounds of age and gender. Other research shows that age is also generally considered a factor which might complicate finding employment. Over half of the Finnish respondents to a pan-European survey study (Eurobarometer, 2009) were of the opinion that high or low age might put a person at disadvantage in recruitment. Furthermore, 62% of the respondents in another study agreed with the statement “it is very complicated for older workers to find new jobs in our occupation” (Suomen Terveystalo, 2011).

Ethnicity, nationality and language. Our re-analysis indicates that 5% of both women and men with a foreign background had perceived discrimination in recruitment in their current organization (Statistics Finland, 2008). Regarding ethnic minorities, 35–65% of respondents with a foreign background perceived that their ethnic origin had hampered finding employment in a concrete recruitment situation (Jasinskaja-Lahti et al., 2002; Jaakkola, 2000; Pohjanpää et al., 2003). In the Eurobarometer study (2009), over half of the Finnish respondents thought that ethnic origin or skin color might put a candidate at a disadvantage when applying for a job. Somalis seem to perceive discrimination in recruitment more than other immigrant groups studied (Jasinskaja-Lahti et al., 2002; Pohjanpää et al., 2003). Also a large proportion of Finnish Roma have perceived discrimination. Almost 80% of Roma respondents in a survey believed that their ethnic belonging hinders finding employment, while roughly 40% reported to have perceived such discrimination themselves when applying for a job (Syrjä & Valtakari, 2008). Results of studies with potential employers as respondents indicate the same; being of a minority ethnic origin is perceived to be a clear disadvantage in recruitment.

Disability and health status. Re-analyzed data from the QWLS show that 8% of women and 5% of men with a disability or a chronic disease perceived discrimination in recruitment in their current organization. According to the Eurobarometer 2009, disability was the factor believed to place a person most at a disadvantage, compared to other prohibited grounds included in the NDA. Of the Finnish respondents, 54% considered disability as a factor putting persons at a disadvantage in recruitment. Some indications of discrimination in access to the labor market can also be derived from the minimal part of the disabled persons who are active in the labor market. Not surprisingly, research shows that the severity of the disability is a decisive factor separating those who participate in the labor market and those who do not (Linnakangas et al., 2006). Regarding attitudes towards disabled persons, research shows that the results are much affected by the way the disabled are defined. One study show that only 2–4% of the companies had employed a physically or mentally disabled person or a person with mental health problems. (Ala-Kauhaluoma & Härkäpää, 2006). On the other hand, when talking only about disabled persons in general without specifying the subgroup, 40 % of the respondent answered that they had recruited a disabled person (Varanka & Lindberg, 2011).

Sexual orientation. According to the only existing Finnish study assessing discrimination in a labor market context on the ground of sexual orientation, 14% of persons belonging to sexual minorities had perceived discrimination in recruitment (Lehtonen & Mustola, 2004). On the other hand, results from the Eurobarometer 2009 indicate that sexual orientation is not among the general population very widely believed to affect chances of becoming employed. Only 30% of the Finnish respondents regarded sexual orientation as a disadvantageous factor in recruitment.

Religion, belief, opinion or other personal characteristics. In general, there is little research on these prohibited grounds. Seven per cent of persons acting as employee representative or holding other trustee positions had perceived recruitment discrimination in the re-analyzed data from the QWLS (Statistics Finland, 2008).

At work

Age. In light of existing sources, the level of observed discrimination on the ground of age (both young and old) seems to be almost ten percent (Lehto & Sutela, 2008; Central Organisation of Finnish Trade Unions, 2008; Statistics Finland, 2008; Perkiö-Mäkelä et al., 2010). The QWLS shows that in comparison to previous years' results (1997, 2003), observations of discrimination against older people have slightly decreased, while observed discrimination against young people has increased. In 2008, discrimination on the ground of young age (10%) was for the first time observed more often than on the ground of old age (9%). (Lehto & Sutela, 2008, p. 118.)

According to the re-analysis of the QWLS 2008 data, 10% of young women and 8% of young men perceived discrimination based on young age in their current job. Older women and men perceived somewhat less (7% and 3%, respectively) discrimination based on old age. The level of perceived discrimination (on the ground of young age) among both young women and young men was significantly higher compared to other women and men (25–64 years old). This is the case also with persons of old age, for which the results are significantly higher when compared to those under 55 years of age. Still, young persons report more perceived discrimination than do old persons. Both young and old women observed and perceived discrimination more than men, which may possibly indicate double discrimination on the ground of age and gender (Statistics Finland, 2008).

Ethnicity, nationality and language. When asked about instances of ethnic discrimination observed at the work place, 2–9 % of respondents representing the general population reported having observed discrimination based on ethnicity and/or language (Lehto & Sutela, 2008; Ylöstalo & Jukka, 2011; Väänänen & Toivanen, 2010). Unsurprisingly, ethnic minority members themselves had observed more ethnic discrimination than others. The same tendency is visible in observed discrimination on the ground of language skills; those belonging to a language minority observed more discrimination on this ground than others. In studies directed at potential victims of discrimination, the reported level of perceived discrimination during employment was 19–31% (Jasinskaja-Lahti et al., 2002; Jaakkola, 2000). Our

re-analysis of the QWLS data indicates that 37% out of women and 29% of men with a foreign background had perceived discrimination in their current work organization (Statistics Finland, 2008). When the responses by different immigrant groups were analyzed separately, Somalis and Arabs were the groups who had perceived most discrimination at the work place (Jasinskaja-Lahti et al., 2002; Pohjanpää et al., 2003). Low wages did not always correspond to perceptions of unfair pay, as for example Somalis had the lowest average salary in a comparison to three other immigrant groups, but were simultaneously the ones who were most satisfied with their wage (Sutela, 2005).

Disability and health status. Health status is the most frequently reported ground for discrimination in the complaints reported to the OSHDs. According to research, the proportion of those who observe discrimination at work on the ground of disability seems to be around 3–13% (Statistics Finland, 2008; Central Organisation of Finnish Trade Unions, 2008). When asked about equality at work, 23% of the hearing impaired persons were of the opinion that equality was realized only poorly or very poorly at work (Hietala & Lavikainen, 2010). Furthermore, Nevala et al. (2010) show that among visually impaired persons 20% regarded themselves to some extent unequally treated. None of the visually impaired considered themselves very unequally treated. Among the physically disabled persons in the sample 26% considered themselves very or to some extent unequally treated. Feelings of equality were less frequent among persons belonging to the hearing impaired and those with a communication disorder, as over 40% of these considered themselves to some extent or very unequally treated. (Nevala et al., 2010, p. 39). It needs, however, to be mentioned that when divided into groups according to their impairment, the size of the subsamples diminished dramatically thus increasing the risk of chance impacting these results.

According to the re-analysis of the QWLS data, 36% of men and a total of 49% of women being disabled or having a chronic disease perceived discrimination at work (Statistics Finland, 2008). Discrimination was mostly perceived regarding attitudes of colleagues and superiors, in appreciation and in receiving information.

Sexual orientation. The level of observed discrimination on the ground of sexual orientation seems to be 2–19%, depending on the sampling methods used. Out of persons belonging to a sexual minority, 14–24% perceived discrimination at work, most prominently in attitudes of colleagues and supervisors (Mustola & Vanhala, 2004b). Interestingly, the male respondents had both observed and perceived discrimination on the ground of sexual orientation to a larger extent than women, which may possibly be indicative of multiple discrimination against gay men on the ground of gender and sexual orientation.

Religion, belief, opinion and other personal characteristics. As different studies on the perception and observation of discrimination on the ground of religion, belief, opinion and other personal characteristics do not approach the topic from the same angle, drawing conclusions related to the separate grounds is challenging.

The main problem is that different studies include different combinations of the discrimination grounds in their questions, not allowing for a separation of different factors. Never the less, some tendencies are still discernable. The proportion of respondents who observed discrimination on the ground of political opinion or trade union activity was 4–8%, while 5–7% had observed discrimination on the ground of family ties. (Statistics Finland, 2008; Central Organisation of Finnish Trade Unions, 2008.) In our re-analysis, the proportion of employee representatives who had perceived discrimination in their current organization was 45% for women and 27% for men (Statistics Finland, 2008). The proportion of those who had perceived discrimination varied from 2–20% for persons acting as employee representatives and/or being active in a trade union depending on the questions; the more detailed the questions, the higher the level of perceived discrimination.

Termination

The level of discrimination in termination of an employment has not been assessed in the main Finnish surveys on labor discrimination, as they are directed towards the working population. Thus, this context is still something of a “grey area”. However, some information is found on perceived and observed discrimination based on old age and ethnicity in the termination of an employment. Out of the respondents to a survey carried out in the health sector, 17% of the employers and 20% of employees agreed with the statement that old employees are being pushed to exit before they reach retirement age (Suomen Terveystalo, 2011). This can be interpreted as observed discrimination on the ground of old age. Regarding research on ethnic discrimination; the immigrants studied perceived least labor discrimination in the termination stage (Jasinskaja-Lahti et al. in 2001; Jasinskaja-Lahti & Liebkind, 1997); around 6–9% of these perceived discrimination in termination of their employment.

For the other prohibited grounds included in the NDA, research on the level of discrimination observed or perceived in the termination stage is scarce. Thus, comparison both regarding the level of discrimination in the three contexts used in this report and regarding the most prevalent prohibited grounds in discrimination in termination cannot be made due to lack of information. This is slightly concerning, as the vast majority of the complaints reported to the OSHDs concern termination of the employment.

4 Proposal for a monitoring model for labor discrimination

This report contributes to the monitoring of specifically labor discrimination as a part of the national discrimination monitoring system being developed. To this date, the monitoring of labor discrimination has been restricted to pieces of information as the collection of information has neither been coordinated nor planned in the long run. Thus, there seems to be a need for a more unified approach to monitoring labor discrimination and for a comprehensive model guiding the gathering of information on labor-related discrimination. Towards the end of filling this gap we propose central guidelines for creating a model for monitoring labor discrimination.

As a starting point for our proposal we use current sources which discuss future collection of discrimination data (e.g., Aalto et al., 2010; Aaltonen et al., 2009b; Mannila, 2007; European Commission, 2007) and modify them to monitoring specifically labor discrimination. In addition, we build on the current Equality Measurement Framework model developed in Great Britain (Equality and Human Rights Commission, 2011).

As discrimination is a multifaceted problem and as discrimination from a social scientific perspective differs from the legal aspect, it is essential to adopt a **multi-method** approach to discrimination monitoring (European Commission, 2007). No single method on discrimination can give a holistic picture of the phenomenon, as already noted in Chapter 2. Hence, the national monitoring model on labor discrimination should be compiled from different kinds of sources.

In this chapter, we will draw conclusions based on the discussion started in Chapter 2 on the pros and cons of each of the three main data sources (official statistics and registered data, research, formal complaints). When evaluating the data sources on labor discrimination, the following aspects should be considered; *reliability, validity, coverage of various discrimination grounds, generalizability and comparability of the results both across time and internationally*. In order to create a proposal for an efficient model for monitoring labor-related discrimination, all these aspects are essential. Reliability concerns the repeatability of the measurement and whether the measurement, when repeated under same conditions, shows the same results. For example, if an interviewer presents the surveys questions differently to different interviewees resulting in totally different answers, the survey is no longer reliable. Validity tells about the extent to which the method actually measures what it intends to measure. For example, the results of an attitude survey as an indicator of labor discrimination do not have very high validity, because an attitude is not the same thing as discriminatory behavior. It is also important that the same method can be applied when studying all discrimination grounds and that the sampling method allows for making generalizations to the general population and across different

labor market sectors. Comparison of the results across time and international comparability often go hand-in-hand with reliability, because if the measure always gives the same result under the same conditions, comparing the results with other results from other countries or across time is reasonable. For more discussion on the pros and cons of the different methods, see Chapter 2 and other reports dealing with assessing the level of discrimination (e.g., Aalto et al., 2010, p. 81–94; European Commission, 2007, p. 27).

Based on these criteria, we have chosen the best existing data sources for monitoring and assessing labor discrimination in Finland (see Table 17). Because all of these sources also have their own weaknesses, it is important to include all of them. In addition, we propose several amendments to enhance the quality of the data.

Table 17. Various data sources for monitoring labor discrimination including official statistics, research and formal complaints

Data sources for monitoring labor discrimination			
Official statistics	Research		Formal complaints
<i>Employment statistics (Työssäkäyntitilasto):</i> <ul style="list-style-type: none"> un/employment statistics <i>Wage structure statistics (Palkkarakennetilasto):</i> <ul style="list-style-type: none"> wage difference statistics <i>Employment service statistics (URA/Työnvälitystilasto):</i> <ul style="list-style-type: none"> access to employment reasons for termination 	<i>National surveys, Eurobarometer:</i> <ul style="list-style-type: none"> observed and perceived discrimination on all grounds and in various situations harassment, violence and well-being at work 	<i>Situation testing:</i> <ul style="list-style-type: none"> recruitment gender + one other ground every second year ethnic groups (Russian, Somali, Roma) possibly also disabled groups, old/young 	<i>OSHDs</i> <ul style="list-style-type: none"> complaints, inspections <i>Police crime report record (PATJA)</i> <ul style="list-style-type: none"> reports of offences <i>Justice system data</i> <ul style="list-style-type: none"> court cases <i>Equality body data</i> <ul style="list-style-type: none"> complaints

4.1 Official statistics and register data

Using official statistics in monitoring labor discrimination is applicable to those prohibited grounds which are registered in the population statistics, as discussed in Section 2.2. Despite their somewhat lower reliability and validity, official statistics can provide generalizable data of several discrimination grounds and allow for cost-efficient comparisons, since the data are available every year. The differences in unemployment rates, salaries, access to employment or reasons of termination between different groups can be used as indirect indicators of discrimination, if all relevant intervening factors are controlled for. These statistics allow for the controlling of, for example, education, place of residence, occupation and socio-economic status. Other important factors, however, such as language skills or cultural competence, cannot be controlled for.

We propose including several sources of register data in the monitoring model on labor discrimination. Employment statistics (*Työssäkäyntitilasto*) and wage structure statistics (*Palkkarakennetilasto*) from Statistics Finland provide information on labor market status and salaries of all people. Employment service statistics (*Työnvälitystilasto*) from The Ministry of Labor and the Economy and the customer register of the Employment and Economic Development Offices (*URA-tietokanta*) provide information on access to employment and reasons for termination of the job.

A prerequisite for using these statistics is naturally access to them. For example the *URA-tietokanta* requires a separate research permit and the process of accessing data is laborious. In addition, combining the demographic variables for the identification of minority groups (gender, age, mother tongue, nationality, disability, etc.) and connecting these to other statistics (working statistic, wage structure statistic, labor exchange statistic, *URA-tietokanta*) requires cooperation with the relevant stakeholders (The Social Insurance Institution, the Tax Administration, Population Register Centre, Statistics Finland, Ministry of Labor and the Employment and Economic Development Offices). Hence, to produce a decent-quality data set, the coordinator on the governmental level should invite all these organizations to participate in the data production, as discussed in Section 4.5.

4.2 Surveys

Surveys on working conditions, such as the Quality of Work Life Survey, the Working Life Barometer and Work and Health Survey, have in recent years included questions on discrimination and can thus be used as tools for assessing labor market discrimination. With only slight changes, these barometers could be used even more effectively to assess labor discrimination, which has also been noted in earlier reports on developing the monitoring of discrimination in Finland (Mannila, 2007).

These surveys allow for monitoring over time and provide data of high validity and reliability. We have compared to each other the three Finnish main surveys mapping observed and perceived discrimination in working life in Section 2.1.1.1. A survey with a larger sample including more detailed questions on discrimination is to be preferred. From this comparison it is clear that, in their current forms, the Quality of Work Life Survey is the best of the three with regard to sample, number of background variables available, and the quality of the questions, as it contains questions on both observed and perceived discrimination. Hence, it functions as a self-report victim survey and includes almost all prohibited grounds specified in the NDA and as well as questions on the context of discrimination. Therefore, the data from the QWLS should be included in the monitoring model and developed further. However, the format (questions, sample, background variables) of this survey could

just as well be adapted to any of the two other surveys (Working Life Barometer and Work and Health Survey). In addition, the questions on recruitment discrimination from the Eurobarometer should be included in the monitoring model. Carrying out a working life discrimination survey on an annual basis is not regarded as necessary. An interval of 4 to 6 years is enough for trend analyses.⁴⁰

In the following, some proposals are made with the aim of improving these surveys.

- The survey should include all prohibited grounds for discrimination set in the NDA. In order to assess the level of observed and perceived discrimination on each prohibited ground, the grounds should preferably be held separate in future surveys where possible.⁴¹
- Future surveys should use proportionate quota sampling to ensure participation of minorities and adapt the format of answering to their needs (translations, Braille, etc.). Alternatively, minority groups could be targeted with a separate study including relevant questions on discrimination from the main survey, as has been done by Mustola and Sutela (2004), who used the discrimination question from the Quality of Work Life Survey in their own study on sexual minorities.
- In order to provide for monitoring over time, the same questions on discrimination should be asked in the questionnaire at different time points.
- The questions on discrimination should be as specific as possible and address both observed and perceived discrimination. Regarding observed discrimination from the point of view of *assessing the level* of discrimination, the most precise form of question, i.e., “have you witnessed discrimination”, should be preferred. Also a question on “how many times” and “for how many people” should be added to provide more accurate information.
- Those who have perceived discrimination in any of the situations mentioned in the survey should be asked to specify the ground/grounds for discrimination by a follow-up question.
- As shown by Lehtonen & Mustola (2004) the ground for perceiving discrimination by persons belonging to a minority group, e.g., sexual minorities, may not only be this specific minority membership (e.g., sexual orientation) but simultaneously other prohibited grounds. Therefore it would be essential to specify which the possible additional ground/s was/were.
- In order to obtain statistically valid results on different dimensions of labor discrimination (recruitment, at work, termination), at least three questions on each dimension should be included (as recommended by Aalto et al., 2010, p. 83), for example, on perceived discrimination in work announcements, during phone inquiry, in the answer to application letter, or in the interview.
- The part on recruitment discrimination should be formulated differently to cover observed and perceived discrimination also *outside* the current organization,

40 An alternative way of mapping unfair treatment at work would be to carry out a separate survey on the subject. This has been done for example in Great Britain by the Fair Treatment at Work Survey carried out in 2008. However, this would require more resources.

41 Certain grounds, such as ethnic/national origin and nationality, may be difficult to separate in practice.

since recruitment discrimination is typically perceived when applying to a new organization. This is true also with regard to termination of work, which should be included as well (currently, there is no question on termination).

- In order to identify sexual or religious minorities, respondents could be asked whether they consider themselves as part of these groups (as done in the Eurobarometer survey). This would allow for intergroup comparison of job satisfaction, harassment, violence or perceived discrimination within sexual or religious minorities as compared to the general population. Again, significant group level differences in these questions can be interpreted as indirect indications of discrimination. In addition, this data can be used to assess whether the sample is representative also with regards to the proportion of minority members among the respondents.
- Background information could be used to a larger extent than before. As the surveys provide data on the respondents' occupation and area of residence, this information makes it possible to differentiate the answers of white-collar employees and entrepreneurs who often act as "gate-keepers" and make recruitment decisions. This information could also be used for comparing discrimination perceived in different occupations or in different parts of the country. Furthermore, the information could be used in comparing harassment, violence, and well-being at work among different minority groups and also among different occupations.
- Because there is such a wide range of different kinds of disabilities, it might be useful to add an open-ended question for specification of the disability, which then could be used as a basis for classifications.

4.3 Situation testing

In order to approach and assess recruitment discrimination, Aalto and colleagues (2010) suggest carrying out discrimination testing in Finland. In comparison to other methods assessing discrimination, testing can be controlled in order to show a clear causal connection between the unequal treatment and the prohibited ground. The field experiment presented in the second part of this report is the pioneer situation test in Finland. Suggestions for further implementation of the situation testing method are discussed in Section 8.4.

4.4 Formal complaints

In their current shape, the registers upheld by the institutions monitoring compliance with labor discrimination legislation (courts, OSHDs), are not very suitable for collecting information for discrimination monitoring purposes. They are not planned to be used as sources for collecting statistics on issues such as which ground is most prevalent in labor discrimination cases. Currently, the only way to get statistics on,

e.g., prohibited grounds or the discrimination context in court cases is to go through the cases one by one.

In order to enhance the inclusion of data on formal complaints in the labor discrimination monitoring model we propose the following:

- It needs to be emphasized that the OSHDs play an important role as they are the primary institutions monitoring compliance with the minimum conditions in working life. Their role is essential both in actively monitoring labor discrimination by carrying out inspections on workplaces and in handling complaints on discrimination. Their register data should be used to a greater extent than presently in monitoring discrimination in relation to the labor market. This should also be taken into account when allocating resources.
- To allow for an analysis of the subjective discrimination experiences, all customer reported complaints received by each of the five OSHS should be filed (as done by the OSHD of Southern Finland), even if the complaint does not lead to supervision actions.
- Annual summaries of the number of complaints concerning discrimination and the outcome of the complaints should be produced by all OSHDs and made easily accessible on the internet. To allow for an analysis of the whole “life cycle” of the complaints, they should include information on the whole handling process of moving from a subjective discrimination experience reported by the customer to informing on the outcome of the complaint; did discrimination occur? Was the case reported to the police for further investigations?
- In order to increase reporting of labor discrimination cases to relevant authorities, there seems to be a need for low threshold channels for reporting. Certain minority groups very seldom report cases of suspected discrimination to existing monitoring bodies (Aaltonen et al., 2009a; OSHD of Southern Finland, 2011a). Enhanced co-operation between NGOs and OSHDs on identifying and reporting labor discrimination should be investigated. How could the complaints reported to various NGOs on labor discrimination reach the OSHDs? The reasons why victims of labor discrimination do not report directly to the OSHDs could be subject to future research; which are the more specific reasons for the high threshold for reporting?
- In order to get information on labor discrimination which also could be included in reports to international monitoring bodies, a report similar to the one by Aaltonen et al. (2009a) on the complaints filed with the OSHDs could be carried out on court cases on labor discrimination. The outcome would provide detailed information on the prevalence of certain prohibited grounds and contexts in labor discrimination cases. Such a mapping has been done in Aaltonen et al. (2009b) for the year 2007 and half of 2008. Widening the scope to include cases handled by the administrative courts would give a more holistic picture of matters related to labor discrimination handled by courts. Including both civil and criminal cases would allow for

assessing the practice of paying compensation in accordance with the NDA. In addition to gathering information on the ground and context, it would be essential to analyze the “life cycle” of complaints filed within institutional monitoring instances.

- Regarding the crime report record of the Police (PATJA), slight amendments in entering data into the record would facilitate the monitoring of labor discrimination. By explicitly including the prohibited ground in question in the description text of each crime report on labor discrimination (or discrimination in general) valuable information on the prevalence of discrimination on a certain ground could be easily obtained.

4.5 Organization

We suggest certain amendments to the current organization regarding the collection of information on labor discrimination, in order to make the monitoring more efficient. As outlined in the plan of action on monitoring discrimination in Finland, each time a report on discrimination is to be produced as part of the national discrimination monitoring system, there will be an open tender (Ministry of the Interior, 2009). This gives rise to certain challenges when striving to create a uniform model for discrimination monitoring. If one wants to study the change in the level of discrimination and make trend analyses, the monitoring needs to use the same format each time. The coordinative unit would provide the winner of the tender with relevant information on what material should be included and where it can be obtained, which also makes the work more time-efficient. Currently, it is challenging to gather information from various stakeholders, analyze the collected data and write the report within a reasonable time span. In some cases a separate research permit is needed in order to obtain information from certain registers.

Therefore, we consider it to be essential to have a coordinating body collecting materials from various stakeholders in accordance with a continuous agreement. We suggest that one central actor on the governmental level should identify contact persons in each relevant institution possessing valuable information for the monitoring of labor discrimination (e.g., The Social Insurance Institution, the Tax Administration, Population Register Centre, Statistics Finland, Ministry of Labor and Employment and Economic Development Offices). In the current organizational structure, monitoring of discrimination falls within the Ministry of the Interior. Therefore, one option is that the Legal Affairs Unit at the Ministry of the Interior would function as a coordinator for the collection of information on labor discrimination. However, it is at the discretion of the government which institution is most suitable for the purpose.

It should be agreed beforehand what information the monitoring report includes, so that the same format can be used and comparable data for monitoring can be produced. The necessary financial resources need to be allocated to pertinent

institutions in order to produce this information, e.g., for preparing a summary of the criminal reports on labor discrimination included in the PATJA-register upheld by the Police. Instead of having the winner of the tender collecting all the relevant data on labor discrimination, the information should be available as agreed beforehand between the coordinator on the governmental level and the other institution producing the material.

Negotiations with the following relevant institutions should be carried out on how to produce, with certain intervals, information for the monitoring report on labor discrimination:

- Unemployment/employment statistics and wage difference statistics: this information should be gathered from *Statistics Finland* on an annual basis.
- Information on access to employment and reasons for termination should be gathered from the *Employment and Economic Development Offices* URA-register on an annual basis.
- Information on complaints reported to the OSHDs and statistics from inspections carried out should be gathered from *all the five OSHDs* on an annual basis.
- Crime reports on labor discrimination should be gathered from the PATJA-register upheld by the *Police* on an annual basis.
- Statistics on court cases on labor discrimination should be collected via the *Legal Register Centre*. Information on each case should be collected from the relevant courts and analyzed regarding prohibited ground(s) and context of the occurred discrimination.
- Complaints regarding labor discrimination perceived by gender minorities to the *Equality Ombudsman* should be collected on an annual basis.

In addition, research including situation testing and surveying observed and perceived discrimination in working life needs to be continued. In order to provide information on the specific discrimination perceived by certain groups, such as Somalis, Russians and Roma, situation testing needs to be carried out systematically, preferably every second year. It would also be important to carry out additional ad hoc research, for example on recruiters, as recruitment is to a large extent controlled by recruiting agencies. These “gate keepers” therefore play an increasingly important role in the recruitment process (Aalto et al., 2010, p. 72).

When all these pieces of information are available through coordination, we will have far more reliable information than before on how much and in which contexts labor discrimination occurs in the Finnish society.

PART II

Field experiment on ethnic and gender discrimination in recruitment situations

Introduction

Discrimination in employment has severe detrimental effects on societal and individual levels alike, as described in the introduction to the first part of this report. It is therefore very important to produce reliable information on this phenomenon. As outlined in Section 5.2, previous studies using other methods than situation testing give reason to believe that ethnic discrimination as well as gender discrimination occur in the Finnish labor market (see also Section 3.2).

This is the first Finnish study on discrimination in recruitment using the *situation testing* method (Bovenkerk, 1992). Our field experiment studies discrimination on the grounds of ethnicity and gender as well as multiple discrimination on these two grounds in recruitment situations in Finland. We have studied the success of Russian- and Finnish-named, female and male job seekers when applying for semi-skilled office, restaurant, driver and construction jobs.

Although research using sources such as victim surveys, attitude surveys and register data can provide valuable information on labor discrimination, the data may be vulnerable to interfering factors. For example, in victim surveys the respondents report subjective experiences and may under- or overestimate discrimination experiences, while results of attitude surveys may be affected by respondents' efforts to display political correctness (see also Section 2.1.1).

In contrast to this, the great benefit of the situation testing method is that it studies real-life situations and the concrete actions of employers. Therefore, it is not possible for the employers to conceal their real actions, as it is, for example, in attitude surveys asking whether the employer would accept an applicant of, for example, Russian origin. In addition, there is little risk of the results being affected by intervening factors, as all characteristics of the testers – except for the ones studied (e.g., ethnic origin, gender) – are held constant. In studies using, for example, register data on employment levels there is a risk that factors such as social capital (networks, communication skills, etc.) affect the outcome and are intertwined with *de facto* discrimination. This problem is overcome when the situation testing method is used, as the recorded differences are demonstrably due to discriminatory behavior by the employers.

In Chapter 5, the situation testing technique is presented together with results from other countries. Chapter 6 presents the concrete implementation of the method in our study. In this chapter, we discuss what constitutes discrimination and deal with ethical considerations. We also present the written applications that were used along with field procedures, sampling, sample size and statistical power, and the selection of studied groups, testers, vacancies and cities. We also present the outcome of internal validity analyses and the decisions made based on these. In Chapter 7, we present our main results with regard to ethnic discrimination as well as results from supplementary analyses of different cities and labor market sectors. This chapter also includes the results concerning gender and multiple discrimination. The results are discussed in Chapter 8.

5 Situation testing

In this chapter, we firstly present the situation testing method by describing the process of data gathering and analysis. Secondly, we discuss the comparability of results from different countries and also give an overview of results from previous situation tests of recruitment discrimination based on ethnic origin and gender.

5.1 The technique in brief

Frank Bovenkerk (1992) and the International Labour Organization (Zegers de Beijl, 2000) have developed the research technique called *situation testing* for measuring the level of discrimination in recruitment. The basic principle is that pairs of two equally merited and skilled fictitious applicants, who differ only on the studied characteristic (e.g., ethnicity or gender), apply for the same jobs. The education and job history of the testers are as similar as they can be without risking arousing the suspicion of employers. The pairs are carefully matched also with regards to conduct, attitude and appearance. If both applicants get the same treatment in the application process, e.g., are both invited for an interview or are both denied an interview, then no preferential treatment has occurred.

The complete testing procedure involves three stages:

- 1) **First inquiry:** Testers inquire about the possibility to apply (“Is the job still available?”) by calling on the phone or visiting the workplace in person. The critical event is whether a tester is *invited to apply* (“Sure, send in your application”) or *denied the chance to apply* (“Sorry, we already found somebody”).
- 2) **Application:** The testers send in written applications, including CVs. The outcome is either an *invitation to a job interview* or a *negative response/no response at all*.
- 3) **Job interview:** The testers attend job interviews and may or may not get a *job offer*.

There are four possible outcomes in each stage:

- a) Both proceed in the process (i.e., are encouraged to send in their application, are invited to attend an interview, or offered a job),
- b) Only the majority member proceeds,
- c) Only the minority member proceeds,
- d) Neither of the applicants proceeds.

In case only one of them passes a certain stage, the result is recorded as preferential treatment and the test does not proceed to the next stage.

Field experiments relying on success rates of matched pairs have been carried out also before Bovenkerk specified his method, initially by British sociologists in the late 1960s (Riach & Rich, 2002). The technique has since gained popularity both in Europe and overseas (most notably the USA) and has been applied in fields such as housing and in receiving services (e.g., bank loans, car hiring and admittance to hotels, restaurants or nightclubs) in addition to the labor market (Bovenkerk, 1992). It has been used to study discrimination on various grounds, among them age, disability, sexual orientation and obesity (e.g., Riach & Rich, 2007; Weichselbaumer, 2003; Rooth, 2008) in addition to the more commonly studied grounds ethnicity and gender.

Especially the ILO and the Urban Institute (UI, an American research institute) have coordinated research using this method (Riach & Rich, 2002). The UI does not use the term situation testing, but rather audit testing, but the principle is the same. However, the ILO and UI use different formulas for calculating the results (see Section 6.1).

Although our study is the first Finnish study using the situation testing method, some similar approaches have been used before in Finland. Ahmad (2005) used participatory observation in order to study the success of a Pakistani job seeker (the author himself) in finding employment. However, Ahmad's study was not a situation test, as there was no control group for comparison (see also Section 3.2.1). Some unscientific tests with partial resemblance to situation tests have also been conducted in Finland. The Helsingin Sanomat newspaper have had journalists posing as job seekers and calling employers in the construction sector to ask about the possibility for undeclared work (Helsingin Sanomat, 2011). There have also been unscientific tests on whether Roma and colored customers are admitted to restaurants or bars (Finnish League for Human Rights, 2007).

5.2 Results from other countries

Field experiments using situation testing have been carried out at least in the following countries: Sweden, Denmark, the UK, Ireland, Belgium, the Netherlands, France, Germany, Austria, Switzerland, Italy, Spain, Greece, the USA, Canada and Australia. Discrimination has been found in practically all conducted studies (Riach & Rich, 2002; Bendick, 2007; however, see James & DelCastillo, 1992 for a single exception).

However, comparing the results cross-nationally is difficult. The results of situation tests are affected by aspects related to the research design, such as the occupational categories studied. For example, results of two Swedish studies seemed very different at first but became identical after controlling for the effect of the

variation in occupational field (Bursell, 2007; Carlsson & Rooth, 2007). Hence, part of the variation in results between countries and ethnic groups may be explained by differences in the level of discrimination in different occupational fields. Naturally, also geographical regions as well as the economic situation in the country during the data collecting period affect the results.

Another very central issue rendering cross-country comparisons difficult is of course the variation in the selected ethnic groups and their respective histories and social statuses in the societies studied. It is, for example, perhaps not surprising that applicants of Italian descent in Australia face less discrimination than do applicants of African descent in Ireland (Booth et al., 2009; McGinnity et al., 2009).

When comparing the results between countries it would also be interesting to study whether other issues, such as the legislative framework on discrimination, have any impact on the results. However, it does not serve the purpose of this report to strive for an international comparison which fully analyzes the effect of all these factors. It is nevertheless important to bear in mind that these factors exist and have an impact on the reported results.

Due to the existence of so many different factors influencing the results, some researchers argue that comparing results is meaningless (e.g., Arriijn et al., 1998). Bursell (2007) argues that in order to make a complete comparison, one would need results that are representative of whole labor markets and of whole immigrant populations (or other minorities). Understandably, this kind of data is very difficult to obtain because only a few occupational and minority groups can usually be chosen for a single study. However, the vast majority of researchers see cautious comparison as reasonable (Allasino et al., 2004; Zegers de Beijl, 2000; McGinnity et al., 2009; Fibbi et al., 2003; Riach & Rich, 2002; Bendick, 2007; Bovenkerk, 1992). We, too, agree with the majority of the researchers that cautious comparison of international results is meaningful.

Results from situation tests can be reported in various ways, most frequently using *relative call-back rates* (RCR) or *net discrimination rates* (NDR). The meaning of the relative call-back rate is easy to intuitively grasp; how many more phone calls/applications/job interviews a minority member needs to carry out in order to arrive at the same result as the majority member.⁴² If the RCR would be one, then no discrimination against the minority would have occurred. For example, a RCR of 2 in the second stage would indicate that a minority applicant has to send in double the amount of applications compared to a majority applicant in order to obtain an interview invitation.

The NDR, on the other hand, indicates the share of job openings where discrimination against the minority applicant occurs (Bovenkerk et al., 1995). For example, a NDR of 50% means that there is discrimination against the minority in half

42 The term call-back rate is applied also to the first (phone call) and third stage (interview), although one is strictly speaking not dealing with call-backs in those stages. By the term 'minority', we refer also to "psychological minorities" – for example women – in addition to numeric minorities (see Schulman, 2009, p. 310).

of the recruitment situations. Although the NDR is often used when reporting results from situation test, we prefer the RCR when comparing the results internationally because we think the RCR is easier to understand in terms of real events. Attström (2007) among others have arrived at the same conclusion.

5.2.1 Ethnic discrimination

Tables 18 and 19 summarize the most relevant studies conducted in Europe and outside the continent since the year 2000. We underline that the results do not represent any absolute level of discrimination in a country. Instead, they show evidence of discrimination in given cities and occupational categories at a certain point in time. The results reported here should primarily be understood as shedding light on discrimination as a general phenomenon.

The comparison only includes studies carried out after the turn of the century because older data may not be very informative of the current situation. Some studies with very small sample sizes and thus limited generalizability are also excluded, as are possibly some studies reported in other languages than English. The countries where the experiments were carried out appear in alphabetical order in the tables. In those cases where several studies are reported from one country, those with the most recent data come first. We had to make several calculations of our own in order to make the results comparable, as there is a variety of reporting practices.⁴³ Please note that statistical significance of the difference between minority and majority members in net discrimination rates and call-back rates is not reported in the tables, as several studies have not included this information in their reporting. Hence, small differences with small sample sizes may not be statistically significant, which means that the results may have occurred by chance.

43 For example, in studies using several stages in the application process, the results are re-calculated using a different formula than in the relevant publications (although naturally relying on the figures presented in those publications). According to the ILO version of the method (Bovenkerk, 1992, p. 32), the number of valid and usable cases in the stage of initial contact should be used as a reference point when calculating discrimination rates also for the latter stages. However, following this instruction the results from the separate stages are not comparable to other studies using fewer stages. In order to produce comparable data, the success rates (i.e., invitation to send application/call-back rates on sent invitations/job offers) are thus compared within each stage.

Table 18. Comparative results for situation tests on ethnic recruitment discrimination; European countries

The superscript ^a indicates that the figures reported in that cell of the table stem from our own calculations based on the figures reported in the relevant publication. The Roman numbers included in some of the cells refer to the three stages of the method.

Country: cities (period of data collection)	Authors and publication year	Minority (gender; F=female, M=male)	Used stages (I-III)	Sample size: valid/valid and usable cases ¹	Occupational categories	Net discrimination rate ²	Relative call-back rate ³
Greece: Athens (May 06 – Jan 07)	Drydakīs & Viasis 2007/2010	Albanian (M)	II) Application	789/388	Retail, office, industry, restaurant	II) 43.6%	1.82^a
France: Lille, Lyon, Nantes, Marseille, Paris, Strasbourg (during 2006)	Cedley & Foroni 2008	Native French of North African or sub-Saharan origin (F&M)	I) Initial contact (phone call or application sent/delivered in person) II) Interview	2323/ stage I) 862 II) 135	Retail and trade, hotel and restaurant, transportation, healthcare, office and clerical, warehousing, manufacturing	I) 42.2% ^a II) 59.3%	I) 2.03 II) 2.90
Ireland: Dublin (March – Oct 08)	McGinnity et al. 2009	a) African b) Asian c) German (F&M)	II) Application	240/93	Lower administration, lower accountancy, retail	II a) 48.2% ^a b) 35.3% c) 46.9%	II a) 2.44^a b) 1.80 c) 2.07
Italy: Turin, Rome, Naples (Feb – June 03)	Allasino et al. 2004	Moroccan (M)	I) Initial contact (phone or visit) II) Application III) Interview	633/ stage I) 533, II) 217, III) 64	Manufacturing, construction, services	I) 26.6% ^a II) 28.6% III) 21.9%	I) 1.37^a II) 1.43 III) 1.29
Sweden: Stockholm (March – Sept 07)	Bursell 2007	Arabic or African (F&M)	II) Application	1776/no info	Retail and trade, finance, construction, hotel and restaurant, engineering, transportation, education, IT, health, maintenance	II) 40.3%	II) 1.8
Sweden: Stockholm (March 06 – July 07)	Arai et al. 2011	Arabic (F&M)	II) Application	283/no info	IT, transportation, office, education, healthcare	Call-back rate ⁴ Majority 40.3% Minority 20.1% ^a	II) 2.07^a

1 Valid cases refer to the total number of cases in the test excluding those that failed (for example because only one applicant reached the employer when phoning). Valid and usable cases refer to the number of cases where at least one of the applicants advanced in the application process (for example was invited for an interview).
2 The net discrimination rate is calculated as follows: (number of cases where only majority invited ÷ number of valid and usable cases).
3 The relative call-back rate is calculated as follows: the number of cases where the majority member advances in the recruitment process (e.g., gets invited for an interview) divided by the number of cases where the minority member advances (including those cases where both advance).
4 Here, the call-back rate is reported (i.e., the percentage of testers within each group who advance in the application process) instead of the net discrimination rate, because the latter is neither reported nor possible to calculate based on information available in Arai et al. (2011).

Sweden: Stockholm and Gothenburg (Aug 06 – April 07)	Carlsson & Rooth 2008b	Native Swedes of Middle Eastern origin (M)	II) Application	1314/586	Retail and trade, construction, hotel and restaurant, transportation, education, clerical, IT, healthcare	II) 38.2% ^a	II) 1.70 ^a
Sweden: Stockholm, Malmö, Gothenburg (Nov 05 – June 06)	Attström 2007	Native Swedes of Middle Eastern origin (F&M)	I) Phone call II) Application III) Interview	1349/ stage I) 909, II) 264, III) 33	Retail and trade, hotel and restaurant, transportation, healthcare, office and clerical, warehousing, manufacturing	I) 5.2% ^a II) 52.7% III) -6.1% ⁵	I) 1.06 ^a II) 2.54 III) 0.92
Sweden: Stockholm and Gothenburg (May 05 – Feb 06)	Carlsson & Rooth 2007	Native Swedes of Middle Eastern origin (M)	II) Application	1552/522	Retail and trade, construction, hotel and restaurant, transportation, education, clerical, IT, healthcare	II) 28.9% ^a	II) 1.50
Switzerland: Zürich-Aargau region, Lausanne, Geneva (Sept 01 – Mars 02 / July 02 – April 03)	Fibbi et al. 2003	a) Portuguese in francophone region b) Albanian-speaking Yugoslavs in fr. region c) Turks in germanophone region d) Albanian-speaking Yugoslavs in ger. region (M)	II) Application	1638/767	Construction, hotel, retail and trade, industry	II a) 9.6% b) 23.5% c) 30.1% d) 59.4%	II a) 1.11 ^a b) 1.31 c) 1.43 d) 2.46

5 A negative net discrimination rate means that the majority was discriminated.

Table 19. Comparative results for situation tests on ethnic recruitment discrimination; non-European countries

The superscript ^a indicates that the figures reported in that cell of the table stem from our own calculations based on the figures reported in the relevant publication. The Roman numbers included in some of the cells refer to the three stages of the method.

Country: cities (period of data collection)	Authors and publication year	Minority (gender; F=female, M=male)	Used stages	Sample size ¹	Occupational category	Call-back rate ²	Relative call-back rate ³
Australia: Sydney, Melbourne, Brisbane (April – Oct 07)	Booth et al. 2010	a) Indigenous b) Chinese c) Italian d) Middle Eastern (F&M)	II) Application	Total sample over 5000	Retail, restaurant and hotel, office, customer service	Majority 35% a) 26% b) 21% c) 32% d) 22%	II a) 1.35 b) 1.68 c) 1.12 d) 1.64
Canada: Toronto, Montreal, Vancouver (Feb – Sept 10)	Oreopoulos & Dechief 2011	a) Indian b) Chinese c) Anglo-Chinese d) Greek (F&M)	II) Application	Valid cases approx. 1975 ⁴	White collar (e.g., finance and commerce, IT)	Majority 13.4% a) 9.2% b) 10.8% c) 12.2% d) 10.7%	II a) 1.46 b) 1.24 c) 1.10 d) 1.25
Canada: Toronto (April – Nov 08)	Oreopoulos 2009	a) Indian b) Chinese c) Pakistani (F&M)	II) Application	Valid cases approx. 1675 ⁵	White collar (e.g., finance and commerce, IT)	Majority 15.8% a) 12.1% b) 10.8% c) 11.0%	II a) 1.31 b) 1.46 c) 1.44

- 1 The way of reporting sample sizes in non-European studies varies (total sample or valid cases or valid and usable cases); see individual cells.
- 2 For the non-European studies, call-back rates are reported (i.e., the percentage of testers within each group who advance in the application process) instead of the net discrimination rate, because the latter is neither reported nor possible to calculate based on information available in the publications.
- 3 The relative call-back rate is calculated as follows: the number of cases where the majority member advances in the recruitment process (e.g., gets invited for an interview) divided by the number of cases where the minority member advances (including those cases where both advance).
- 4 The exact number of jobs applied for was not reported. However, as 7901 applications were sent out in total (see Oreopoulos & Dechief, 2011, p. 60, our own calculations) and as a rule four CVs were sent to each employer, the number of jobs applied for should be approximately 1975. Note, however, that this number includes also other test pairs than those with matched education and experience.
- 5 The exact number of jobs applied for was not reported. However, as 6699 applications were sent out in total (see Oreopoulos & Dechief, 2009, p. 35, own calculations) and as a rule four CVs were sent to each employer, the number of jobs applied for should be approximately 1675. Note, however, that this number includes also other test pairs than those with matched education and experience.

USA: Chicago (Aug – Feb 10)	Jaquemet & Yannellis 2011	a) African American b) Unidentifiable foreign (F)	II) Application	Total sample 330	Accounting, health-care, IT	Majority 23.0% a) 15.8% b) 16.4%	II a) 1.46 b) 1.41
USA: NYC (during 2004)	Pager et al. 2009	a) Black b) Latino (M)	Audit: in-person application	Total sample 340/valid and usable cases 171	Restaurant, retail, warehouse, clerical, transportation, customer service	Majority 31% ⁶ a) 15.2% b) 25.2%	a) 2.04 b) 1.23
USA: Boston and Chicago (July 01 – May 02)	Bertrand & Mullainathan 2003	African American (F&M)	II) Application	Total sample over 1300	Business, finance, insurance, real estate, health, education, social services, manufacturing, transportation, communications, wholesale and retail	Majority 10.1% Minority 6.7%	II) 1.50

6 This percentage includes job offers in addition to call-backs, as Pager et al. recorded any positive response (2009, p. 762).

Most studies included in this comparison only tested discrimination in the application stage. In this stage, the most typical RCR is roughly 1.8 in Europe while it is somewhat lower in the studies from the USA, Canada and Australia. The RCR of 1.8 means that if a majority applicant needs to send out, for example, 10 applications in order to receive an invitation to one interview, the minority applicant would have to send out 18 in order to get an interview. The extremes in the application stage are 1.10 (Anglo-Chinese in Canada) and 2.54 (native Swedes of Middle Eastern origin).

Riach & Rich (2002, p. 494), who have reviewed several older European situation tests, conclude that the third (interview) stage involves less discrimination than the first (phone call) and the second stage (written application). This tendency is not surprising. Screening may be assumed to occur in earlier stages in the application process because employers most probably only interview applicants who they may be genuinely interested in hiring. This trend is also visible in the two cases in Table 18 that use all three stages (Allasino et al., 2004; Attström, 2007). The highest net discrimination rates were found in the second stage while the lowest rates were found in the third stage. In one Swedish study the result in the interview stage was in fact negative, indicating discrimination against majority applicants (Attström, 2007). However, as the number of usable cases was so low, the negative outcome can with good reason be ascribed to chance.

In the phone inquiry stage we find RCRs of 1.06 (native Swedes of Middle Eastern origin), 1.37 (Moroccans in Italy) and 2.03 (native French of African origin). The small amount of discrimination in this stage in Sweden was interpreted by the authors (Attström, 2007) as a reflection of differences in recruitment practices: Swedish employers do not rely on initial telephone contact as a screening instrument, as it is done in France, but make the selection only in the second stage based on written applications. (Attström, 2007; Allasino et al., 2004; Cediey & Foroni 2008.)

In the interview stage, the Swedish negative result referred to above is the lowest with a RCR of 0.92, while native French of African origin have to attend almost three times as many interviews as majority members in order to get employed (RCR = 2.90). (Attström, 2007; Cediey & Foroni 2008.)

Focusing only on our neighboring country Sweden we see that all five field experiments study discrimination against applicants of Middle Eastern origin. The Swedish results show a relative call-back rate of roughly 2.0 in the application stage. However, there is some variation, as RCRs rise to 2.54 in Attström's study (2007). Compared for example to Carlsson and Rooth (2007), who obtained a call-back rate of 1.5, one can conclude that the difference may partly be explained by the types of jobs included in the two studies. Carlsson and Rooth (2007) studied more high-status occupational categories such as education and IT, which displayed among the lowest discrimination rates within their experiment. This confirms the point mentioned before that the occupations chosen for the study have a significant impact on the results obtained. Bursell (2007) takes note of this and compares her own results to those of Carlsson and Rooth (2007) by giving equal weight to the occupations

included in the studies. Bursell's and Carlsson & Rooth's data produce the same RCR (1.9) in the application stage when occupations are matched and the occupations are given equal weight, although they initially varied from 1.5 to 1.8.

Carlsson and Rooth conducted two situation tests of ethnic discrimination with data from periods only one year apart (Carlsson & Rooth, 2007; 2008b). Interestingly, the later study shows a net discrimination rate which is 10 percentage points higher than the year before, although the test pairs applied for the same type of jobs in the same cities. It is possible that the marked increase was connected to the growing economic uncertainty in that period, which is generally considered to be a factor hardening attitudes against immigrants (this is shown for example by Jaakkola, 2009). However, because all of the Swedish studies used data from before the most severe period of the global economic crisis (fall 2008), it is hard to draw incontrovertible conclusions about the effect of the crisis. In Canada the financial crisis seems not to have affected the level of discrimination, as results from studies using data from 2008 and 2010 did not differ substantially (Oreopoulos, 2009; Oreopoulos & Dechief, 2011).

In studies including several minorities, differences in treatment indicate so-called ethnic hierarchies (see, e.g., Hagendoorn, 1993). For example in Switzerland, Albanian-speaking Yugoslavs in the German-speaking region of the country are discriminated against almost twice as often as Turks in the same region (Fibbi et al., 2003). It is also interesting to note that discrimination rates are clearly higher in the German-speaking region of Switzerland than in the French-speaking region. Furthermore, in a study carried out in New York City, black applicants are shown to face much more discrimination than Latinos (Jaquemet & Yannelis, 2011). In several older studies, African Americans have been shown to face a substantial amount of discrimination compared to white applicants (e.g., Nunes & Seligman, 1999, ref. Riach & Rich, 2002; Bendick, Jackson & Reinoso, 1994; Turner, Fix & Struyk, 1991). The results obtained by Oreopoulos and Dechief (2011) in Canada indicate that having an Anglo-Chinese name instead of an entirely Chinese one raises the call-back rate with a couple of percentage points, while an Indian name is a larger disadvantage than other names included in the experiment. Having an ethnic origin culturally close to the majority group, as well as little deviation with regards to physical characteristics, thus seems to increase chances for employment. As we see in the case of Switzerland, where Albanian-speaking Yugoslavs were much more discriminated than Turks, other explaining factors include the size of the minority population and its general integration into the host society (Fibbi et al., 2003).

5.2.2 Gender and multiple discrimination

When studying discrimination based on gender the results seem to be partly dependent on the occupational field. Evidence of discrimination against women in male-dominated sectors and against men in female-dominated sectors has

been found in some studies. However, this does not constitute an overall trend, as discrimination has been found in some but not in all of the gendered occupations studied.

For example, Weichselbaumer (2004) found evidence of discrimination based on gender in two out of four occupations in Austria. There were no signs of discrimination when applying for positions as computer programmers (male-dominated) and accountants (female-dominated). However, when applying for jobs as network technicians (male-dominated) and secretaries (female-dominated) significant discrimination rates were identified against women and men respectively.

Studying only female-dominated sectors in Australia, Booth and Leigh (2010) found discrimination against men when applying for waiter and data entry jobs. In these occupations, a male applicant had to submit 31% (waiters) and 74% (data entry) more applications in order to get the same number of call-backs as his female counterpart. On the other hand, no statistically significant differences between the success of the male and female applicants were found in customer service and sales positions.

In Sweden, Carlsson and Rooth (2008a) found discrimination against men in the female-dominated positions as restaurant workers, accountants and preschool teachers. The largest difference was found when applying for jobs as restaurant workers, where male applicants had to submit more than twice as many applications in order to get invited for an interview as compared to a female applicant. Simultaneously, no evidence of discrimination was found in the male-dominated occupations computer professionals, motor-vehicle drivers or construction workers. Results from another Swedish study made by Arai et al. (2010) indicate that, contrary to popular belief, men belonging to an ethnic minority in fact seem to be more vulnerable on the labor market than ethnic minority women. In their situation test, these researchers found that women of Middle Eastern origin gained better results when using CVs with enhanced merits, while the better merits did not benefit the men.

Interestingly, discrimination against men has also been identified in occupations with no strong gender stereotype. In addition to discrimination against men applying for female-dominated secretary positions in Britain, Riach and Rich (2006) found evidence of discrimination against male applicants for positions as trainee chartered accountants and computer analyst programmers, which the researchers consider to be gender-neutral.⁴⁴

Several of the results reported above show that discrimination against men has been identified in female-dominated or gender-neutral occupations. However, one should not draw the conclusion that discrimination against women is less frequent. For example, in the USA, Riach and Rich (1995) found significant discrimination

⁴⁴ Note that the gender-stereotype of occupations may vary between countries. For example Weichselbaumer in Austria (2004) and Carlsson & Rooth in Sweden (2008a) define accountancy as a female-dominated sector, while Riach & Rich in Britain (2006) consider it to be gender-neutral. This variation does not, however, constitute a problem with regards to the method.

against women in the male-dominated occupations as gardeners and computer analyst-programmers. Female applicants had to submit between 15% and 20% more applications than a male applicant in order to obtain an interview. Furthermore, British women had to submit 43% more applications than men in order to get an interview invitation when seeking employment as engineers (Riach & Rich, 2006). Nunes and Seligman (2000, ref. Riach & Rich, 2002) show that females were discriminated in up to 45% of the cases when seeking employment in car service shops in the USA.

In their review of situation tests studying discrimination based on gender, Riach and Rich (2002) conclude that females seem to suffer from discrimination especially when seeking high-status or senior positions. This has been shown for example by Neumark et al. (1994) who found discrimination against women in high price restaurants and, interestingly, against men in low price restaurants. The tendency of discrimination against women specifically in high-status jobs serves as an explanation why some situation tests do not identify discrimination against female applicants. This is because it is recommended (Bovenkerk, 1992) and customary to apply the situation testing method to entry-level jobs instead of positions requiring advanced skills.

There are also studies showing that de facto or anticipated parenthood affects only female applicants negatively. Petit (2003) shows that female applicants suffer from the probability of parenthood (i.e., being 25 years old and childless) when seeking a highly qualified administration position in the French financial sector, while males do not. This finding is paralleled by the results obtained in the USA by Correll et al. (2007) who show that being a parent significantly lowers the chances for a woman to receive a call-back from an employer, while the same does not apply to men. Women without children received more than double the number of call-backs as compared to mothers.

6 Methods

Out of the three stages of the situation testing method outlined in Section 5.1, we used only the first two stages (phone calls and written applications). In this way we minimized the inconvenience caused to employers and other job seekers (see also ethical considerations in Section 6.2). However, excluding the third stage means that we do not know whether the candidate would have got the job if an interview had taken place and cannot produce complete data on recruitment discrimination. This is not necessarily a substantial problem, because with respect to ethnicity, the largest share of discrimination has been found to occur in the second stage. Because of insufficient data the same kind of calculations has not been possible to carry out regarding gender discrimination, but it seems reasonable to assume that the same pattern applies. (Carlsson & Rooth, 2008a.) Hence, it is reasonable to believe that the first two stages provide enough information about the phenomenon.

Furthermore, implementing the third stage (interviews) would have required much more resources than we had access to. In addition to the time and money needed for training and attending the interviews, we would also have had the challenge of matching the testers with regards to physical appearance (Pager, 2007).

Next, we will discuss which kind of cases constitutes discrimination and present ethical considerations concerning the method. We also outline the arguments for selecting the studied groups, our tester recruitment process, their training, the selection of vacancies and other field procedures in more detail. Furthermore, we discuss our sample size and its statistical power.

We also describe how many tests were judged invalid, valid, unusable or usable and for what reasons. Finally, we report the results of internal validity tests, which ensure that our data is not biased by the potential diverging conduct of our applicants (research assistants).

6.1 What constitutes discrimination?

Defining what we mean by discrimination is important in the context of situation testing. We operationalize discrimination as *systematic bias in preferential treatment*.

By preferential treatment we mean better treatment of one test-applicant in comparison to the other.⁴⁵ In its most simple form it implies inviting one applicant to an interview, but not the other. However, the reality of recruitment is slightly more complicated than this. Sometimes the applicants are asked to attend a trial shift or are recruited directly without being interviewed first. We have outlined our criteria for preferential treatment in Table 20. The blue cells represent cases which we

⁴⁵ Note the difference to the way that the term preferential treatment is used in legal contexts, where it refers to positive (affirmative) action.

interpreted as equal treatment. Green and red cells stand for preferential treatment to the benefit of either the Russian- or Finnish-named applicant, respectively.

However, preferential treatment is not the same as discrimination. Normally when an employer is recruiting, only one applicant can be chosen. Hence, sometimes it is enough to invite only one person to an interview. Inviting only one person cannot, however, automatically be considered as discrimination. Instead, to grasp the concept of discrimination we need to *compare* the amount of preferential treatment in favor of the two applicants. If there would be no discrimination, the equally merited candidates should be invited (either together or separately) to an interview equally often. This means that, for example, in the cells of Table 20 where “no answer” and “invitation to interview” cross for Finnish- and Russian-named applicants, there should be the same number of cases. However, as can be observed in the table this is not the case: in reality there was preferential treatment to the benefit of Finnish-named applicants in 123 cases and to the benefit of Russian-named applicants in 23 cases. By comparing these two figures, we arrive at the share of discrimination, which amounts to 100 cases.

It is important to notice that this logic implies that we cannot judge which of the 123 cases of preferential treatment against Russian-named applicants were not cases of discrimination. We know that 100 cases constitute discrimination, but as this figure is based on group averages, we cannot identify any single employer in the data and judge whether s/he was among the discrimination cases or not. Hence, the results in this study are based on a comparison of group level averages in the treatment of equally merited applicants.

Table 20. Preferential treatment

		Finnish-named applicant				
		No answer	Invitation to interview	Trial shift	Stand-in pool	Job offer
Russian-named applicant	No answer	598	123	0	1	1
	Invitation to interview	23	82	1	0	1
	Trial shift	0	0	0	0	0
	Stand-in pool	0	0	0	0	0
	Job offer	1	0	0	0	1
<p>Blue cells indicate equal treatment; red cells indicate preferential treatment to the benefit of the Finnish-named applicant; and green cells indicate preferential treatment to the benefit of the Russian-named applicant.</p> <p>In addition, there were a few cases where the employer had tried to reach our applicant by phone (probably to invite her or him for an interview) but did not answer when we called back. These cases were judged to indicate preferential treatment if the other tester had not been contacted. However, if the other tester had been invited for an interview or offered a job, we judged the test to be invalid, because we could not know whether the offers had been equal or not.</p>						

Another important issue has to do with the treatment of those cases where neither of the applicants is invited to an interview (or allowed to send an application). This is a very important issue as these cases often constitute the majority of all outcomes (cf. Table 20). Furthermore, the decision to either include or exclude these cases substantially affects the net discrimination rate (NDR), as demonstrated by Aalto and colleagues (2010, p. 33).

Urban Institute researchers and many other researchers in the USA have opted for including the double rejection cases (Bendick, 2007). The main argument for regarding the no call-backs as cases of equal treatment is that it is a case of symmetrical treatment, meaning that the applicants have been treated the same way (Cross et al., 1990, p. 44).

In the ILO tradition (Bovenkerk, 1992) and in European studies, however, these cases have been considered as missing data (“valid but unusable”). Riach and Rich (2002) argue that no call-backs should be regarded as missing data because the applicants may be rejected before the employer even considers the ethnic background of the applicants, for example, due to lack of time to read through all applications. According to them, if the employer has not even read the applications, one cannot say that there was equal treatment. Instead, there was no treatment at all. Consequently, as it is impossible to know whether the employer has ever read the applications to which no reply is obtained, these cases are excluded from the data.

Furthermore, and perhaps even more importantly, the availability of jobs impacts the number of cases where none of the applicants get a response. When the labor market situation is difficult and it is hard for anybody to be invited to an interview, the rate of equal treatment rises rapidly if we include the double declinations (Riach & Rich 2002, p. 487). Therefore, the somewhat absurd consequence is that the lower the call-back rates the lower the discrimination rate. Furthermore, if we conduct an experiment using applications of bad quality (i.e., clearly not corresponding to the requirements in the job announcement), we will generate a lower discrimination rate than in an experiment using applications of high quality. (Bursell, 2007, p. 13.)

As a consequence, we will in line with Riach & Rich (2002) and Bursell (2007) follow the ILO tradition and regard the no call-back cases as non-observations when computing net discrimination rates (NDRs).

6.2 Ethical considerations

For the purpose of this experiment it was necessary to depart from the principle of informed consent by the research subjects. The results of the study would most likely have been altered if the employers would have been informed of the study beforehand. By conducting a real-life experiment without the awareness of those tested, the effect of political correctness as a motive for their decision-making is reduced and more accurate information is obtained about the actual amount of discrimination in the labor market.

However, the absence of informed consent in research also gives rise to ethical considerations. In addition to matters of moral principle involved in misleading research subjects, also more concrete issues must be taken into account. The employers use time to answer phone calls and process applications by people who are not genuinely interested in the open position. The method also entails a small risk that the success of real applicants is affected by the presence of fictive applicants in the recruitment process.

We thus needed an approving statement from The Ethical Review Board in the Humanities and Social and Behavioural Sciences at the University of Helsinki. The Board granted an approving statement for the execution of our field experiment in June 2011. The Review Board implements the guidelines of the Finnish National Advisory Board on Research Ethics (TENK, *Tutkimuseettinen neuvottelukunta*) and is independent of other actors and bodies at the university. TENK lists field experiments in studies about discrimination as an example of a research design where deviating from the principle of informed consent and misleading research subjects is acceptable (National Advisory Board on Research Ethics, 2009). In this it follows the practices of equivalent Boards in many other countries.

However, although ethical considerations have not hindered the use of situation tests in several countries in Europe and elsewhere, Sweden has been an exception. Research funders and the Swedish Social Research Council in practice precluded the use of the situation testing method for a long time referring to ethical principles of research (Riach & Rich, 2004; *Utredningen om strukturell diskriminering på grund av etnisk eller religiös tillhörighet*, 2005, p. 308). However, this has been mitigated in recent years and several studies using the method in Sweden have been published (see Section 5.2).

Research results obtained by other methods also speak in favor of monitoring recruitment procedures in order to ensure equal treatment of ethnic minorities. Results of, for example, the Eurobarometer survey show that there is a marked popular support for monitoring recruitment procedures; 67% of European citizens favor the idea. In Finland, the proportion is ten percentage points higher than the EU-average. (Eurobarometer, 2009, p. 49.) Situation tests can be seen as one form of monitoring.

Riach and Rich (2004), among others, have argued for the legitimacy of using deceptive field experiments. As discrimination has such detrimental effects on society, the gain from conducting misleading field experiments contributing to counteracting this phenomenon outweighs the downsides of the method. This type of experiment produces information that is impossible to obtain by other means.

In response to research subjects who argue for their right to privacy in their recruitment decisions, several scholars maintain that protection from public scrutiny is not a legitimate expectation in public and commercial activity (Bovenkerk, 1992; Edley, 1993; Fix, Galster & Struyk, 1993; Riach & Rich, 2004). It has to be kept in mind that the ultimate aim of the method is revealing actions which are unlawful and that

authorities must be able to monitor the realization of relevant acts. Furthermore, entrepreneurs participating in the labor market cannot be considered a particularly vulnerable group in society which would be bothered or harmed to an unreasonable extent by the field experiment (Riach & Rich, 2004). In effect, researchers using this method seek to cause minimal inconvenience to the subjects of the research (Bovenkerk, 1992; Riach & Rich, 2004). We also stress that our research design includes no interest in single cases where discrimination may have occurred, neither is the identity of the research subjects disclosed under any circumstances.

We sought to minimize the inconvenience for the employers and other job seekers throughout the research process. As only the first two steps of the situation testing method were implemented, the loss of work time was kept much lower than if we would have advanced to the third step (job interviews). The risk of influencing the chances of real applicants was concurrently decreased. Appointed job interviews were cancelled as soon as possible, as a general rule within three days from the time when the first applicant was called to an interview. The interviews were not declined or cancelled immediately after the invitation, as this might have affected the chances for the pair applicant to be called for an interview.

Debriefing letters were sent out to the employers by e-mail and regular mail after the data collection was finished. The letter included the researchers' contact information. Sixteen employers called or e-mailed in order to comment on the study or to ask for specifications, and their feedback and questions were answered rapidly.

Special attention was paid to the management of the data in order not to risk the anonymity of the studied employers. Their anonymity was safeguarded among other means by requiring a non-disclosure agreement by all parties involved in the data collection process. Naturally, the content of this report does not enable identification of the employers.

Also the well-being of our research assistants (i.e., the test applicants) was cared for throughout the process through training, weekly feedback sessions and support from the project coordinators when needed. The strain of presenting oneself in an untruthful manner emerged as the primary cause for discomfort among the assistants, while they reported less distress stemming from the experience of discrimination which is often seen as a concern in this type of experiments (Bovenkerk, 1992, p. 21; Zegers de Beijl, 2000; p. 30). The testers reported feeling discomfort especially when the employer was particularly friendly on the phone. In any case, the distress was not severe enough to give us reason to consider replacing any of the testers.

6.3 Selection of studied groups

We would have preferred to include multiple minority groups in our study. However, we could select only two groups due to the limited scale of the Finnish labor market and the limited time and resources allocated for the study. Hence, ethnicity and gender were chosen as the foci of our study. Next we needed to make the difficult

decision on which ethnic group to study. There were strong arguments in favor of several ethnic groups, but as we could select only one, we chose Russians. Among the ethnic minority groups most relevant for this type of study, we deemed Russians to be the most convenient with regard to the implementation of the experiment. The arguments for this are presented below.

It is important that the studied group is sufficiently large. There are two reasons for this requirement. Firstly, the results regarding one ethnic group cannot automatically be generalized to other groups. Hence, studying a very small group would produce information that is relevant for only a very small number of people. Secondly, the groups should be relatively large also in order for the test applicants to be credible. If employers suddenly would receive a large amount of applications from a very small ethnic minority group whose representatives have rarely applied for those jobs before, this might pose a problem with regard to the credibility of the applicants.

Regarding the first condition, Russian speakers are the largest ethnic (linguistic) minority in Finland, if Swedish-speaking Finns are excluded. However, when observed by citizenship, there are currently more Estonians than Russians in Finland. Also the Somali, English, Arabic, Kurdish, Chinese and Albanian speaking minorities represent a reasonable share, as well as certain national minorities such as Roma or Sami.

To assess the second criteria, we studied the statistics on the mother tongue of employees in the chosen occupational sectors (Statistics Finland, 2008b). Statistics show that Russian- and Estonian-speaking men and women are widely employed in many sectors, which ensures the credibility of these applicants. For some other groups, such as Somalis, this was not the case. There was, for example, not a single Somali-speaking woman working in construction or transport in the entire country. This is problematic from the point of view of implementation of the experiment, as it might arouse suspicion among employers if a Somali woman would apply for a job as a taxi driver or a construction worker.

Another important argument for choosing which group to study is, self-evidently, that there are reasons to believe that this group faces discrimination. Although Swedish-speaking Finns are the largest linguistic minority in Finland they are commonly not considered as a discriminated group and hence are not among the most evident target groups for this kind of study. In contrast, it has been found that people of Sub-Saharan origin, including Somalis, perceive most discrimination both in recruitment and in the work place in comparison to other studied groups (Jasinskaja-Lahti et al., 2002; Pohjanpää et al., 2003; Sutela, 2005; Vartia & Bergbom, 2007). For this reason, it would be important to study these groups. However, because of the limited number of Somali-speaking women in the studied professions, we decided to choose Russians, who have also reported substantial amounts of discrimination in previous studies. For example, in the victim survey carried out by Jasinskaja-Lahti et al. (2002), 51% of the Russian respondents reported having perceived discrimination.

The fact that the percentage among the Estonian respondents was 35% also spoke in favor of choosing the Russians.

It would also be interesting and important to study recruitment discrimination against national minorities, such as the Finnish Roma. However, making sure that employers notice the test applicant's ethnicity in the first stages of the application process is much easier with Russians than with Roma. Although there are certain typical Roma names, few of them are definite markers of Roma origin (many Finnish Roma have Swedish-sounding last names). It may also be difficult to emphasize the Roma origin during the phone calls. However, some Roma do have a distinguishable way of speaking Finnish, which could be used to signal the ethnicity.

Russians in Finland

Finland has a long history with Russia. Negative and even xenophobic sentiments towards Russians – especially among the older generations in Finland – have been fuelled by a history of national identity construction, military conflict and subsequent events. Finland was a part of the Russian empire for more than one hundred years before gaining independence in 1917. The independence did not involve military struggle, but Finland was later at war with Russia during 1939–1944. However, the relations between the two countries have since improved dramatically and can be argued to be in better shape than ever before. (Vihavainen, 2004; Shenshin, 2008.) Russia is also one of the most important trading partners for Finland (Finnish Customs, 2010).

Russians are the largest ethnic minority in the country according to the mother tongue. At the end of 2010 (the most recent statistics), there were roughly 54 500 persons permanently living in Finland who have Russian as their native language (Statistics Finland, 2011e). Areas where Russians typically live include the largest cities including the capital area, Tampere, Turku and Lahti, as well as the Eastern parts of the country in close proximity of the border, where the percentage of Russian speakers may rise to almost 3% of the population. In the Uusimaa region, 1.7% of the population had Russian as their first language at the end of 2010. (Shenshin, 2008; Statistics Finland, 2011e.) According to the figures provided by Statistics Finland (2010), the unemployment rate of Russians permanently living in Finland at the end of 2008 was 27.8%, compared to 8.9% for the entire population. Of course one cannot attribute all of the difference between these groups to discrimination, as factors such as education, language skills and social capital may affect the figures. However, Russians living in Finland are generally well-educated. For example, a quarter of the Russian citizens living in the capital area have a university degree or equivalent education. (Pohjanpää et al., 2003, p. 31.)

Furthermore, as already noted in Section 3.2, research results indicate that Russians face substantial levels of discrimination in Finnish working life. In various victim studies, roughly half of the Russian respondents reported having perceived ethnic discrimination in a recruitment situation (Jasinskaja-Lahti et al., 2002; Jasinskaja-Lahti & Liebkind, 1997; Ombudsman for Minorities, 2010; Pohjanpää et al.,

2003). One exception is the EU-MIDIS study (FRA, 2009) where “only” 25% of Russian respondents reported having perceived ethnic discrimination. Also the attitudes of Finns seem to be in line with this; 27% of the Finnish respondents to an attitude survey carried out in 2003 were very reluctant to accept Russian immigrants moving to Finland. However, these attitudes have improved substantially since the national recession in 1993. (Jaakkola, 2005, p. 70.)

In addition to discrimination in recruitment situations, discrimination against Russians has also been found when studying working conditions during the employment. For example, Jasinskaja-Lahti et al. (2002) found that 27% of their Russian respondents had perceived discrimination when seeking to advance at work, while 30% reported having been bullied at work. In line with this, 17% of Russians living in Finland who took part in the large-scale EU-MIDIS survey had experienced discrimination at work (FRA, 2009), while the same proportion of Russian respondents to another victim study reported having been bullied at work (Vartia et al., 2007).

Gender equality in Finland

Finland is generally considered one of the global forerunners when it comes to gender equality. Finnish women have traditionally participated widely in economic activities, first in agricultural work and later in paid work outside of the home. Public social services and benefits (e.g., maternity and later parental benefits, child day care) provided by the public sector have enabled active economic participation by Finnish women. (Ministry of Social Affairs and Health, 2006.)

Gender discrimination in recruitment has not been subject to much public debate in Finland, at least not to the same extent as the wage gap between male and female employees as well as women’s access to high-status jobs. It has been found that the Finnish wage gap between men and women was 20% in 2005; the fifth largest among the EU countries (European Commission, 2007). It is important to note that some of this gap can be explained by factors such as occupational sectors, tasks, education and employer. Korkeamäki et al. (2004) found that 3 percentage points of the wage gap could not be attributed to any objective factor and can thus be argued to stem from wage discrimination. The wage gap has also been shown to increase when moving up the wage ladder (Asplund, 2008). A high level of perceived disadvantage due to gender in career advancement is reported especially by highly educated women. They also report increased levels of perceived gender disadvantage when it comes to wages. (Nieminen, 2008.) Gender equality has also been discussed from the male point of view, focusing on issues such as rights of the father and access to social and health services (Miesjärjestöjen keskusliitto, 2011).

Two large-scale national surveys, the Finnish Working Life Barometer and the Quality of Work Life Survey, found that 7% of Finnish employees have observed discrimination against women in their workplace in 2008, while 1–2% had observed discrimination against men (Ylöstalo & Jukka, 2011; Lehto & Sutela, 2008). The

Quality of Work Life Survey also found that 4% of the female respondents had perceived gender discrimination personally in 2008 and that female employees identified higher levels of observed discrimination against women than men did (Lehto & Sutela, 2008). Both surveys have found that the observed level of gender discrimination has decreased over the years. Also general estimates about the situation of gender equality at the workplace have grown more positive. While only 25% of both female and male respondents to the Quality of Work Life Survey in 1997 thought gender equality had materialized very well at their work place, the percentage had risen to 30% among female respondents and 40% among male respondents in 2008 (Lehto & Sutela, 2008).

6.4 Tester selection and training

In order to be able to complete large numbers of tests in a relatively short period, we recruited nine research assistants to act as male and female job seekers with Russian and Finnish origin in the experiment.

For the experiment to produce valid and reliable results the testers must be sufficiently credible applicants for the positions they seek so that some of them succeed in receiving job interviews. For testing to achieve its sought-for quality as a controlled experiment the testers in each pair must be equivalent to each other in job-relevant characteristics while differing with regard to ethnicity and/or gender. For this reason tester selection is one of the most important parts of the experiment.

Our testers were recruited primarily among undergraduate students at colleges and universities in Helsinki. In the advertisement we asked for men and women between the age of 20 and 27 who are willing to work as research assistants for an experiment concerning job search. Students who spoke fluent Finnish but were native Russians, as well as those with work experience from restaurant and/or construction and logistics jobs, were encouraged to apply. By the end of the application period we had received 99 applications.

Applicants were screened by members of the research staff using several criteria, such as credibility as a job applicant for semi-skilled positions (e.g., suitable age, language skills and education/work experience in the studied occupational sectors), unambiguous status by voice/pitch as a member of the group being tested (Finnish or Russian, male or female) and absence of strong ideological beliefs about discrimination that might interfere with their objectivity.

After initial screenings we invited 20 candidates for one individual and one group interview. Based on the criteria outlined above, we chose 9 testers: 2 Finnish men, 2 Finnish women, 2 Russian women, and 3 Russian men. We had some difficulties

in finding appropriate candidates for the Russian male role so that the accent and communication style would match those of the Russian women and the Finnish testers. For this reason we chose to recruit three male Russian testers in order to balance the variation in the strength of the accent.

Before beginning the data collection, the testers received training of approximately one week's duration. The testers were trained by two employers from the restaurant and construction sectors in order to gain knowledge about the work duties and skills that are valued by the employers. A professional actor was hired to train the testers' self-presentation and improvisation skills. The researchers trained the testers regarding the data collection procedure and data recording.

6.5 Written job applications

We had five different professional profiles (construction worker, waiter/waitress, accountant/secretary, taxi driver and lorry/truck driver). Furthermore, as four different urban areas (the capital area, Turku, Tampere, Lappeenranta) were represented in the sample, we needed to adapt all profiles (address, work history) to the relevant region. Moreover, as we were not able to completely avoid applying for several jobs announced by the same employer (e.g. in large municipalities and concerning large temporary agency work companies), we needed to change the names in the profiles four times. All this resulted in altogether over 70 profiles that differed either with regard to professional field, region, or name. Hence, the duties of our testers were very demanding. Keeping track of where they had applied and with what profile required careful recording of the data. The testers often carried two mobile phones and played two different roles at the same time. During the data collection process, each of the nine testers applied for an average of 280 jobs.

The applications consisted of a one-page CV and a cover letter. All these materials were neatly typed, laid out in standard formats, used similar phrasing, and described a man or a woman in their early 20s with education, experience, and skills directly relevant to the position advertised. All cover letters were in standard Finnish with no errors in grammar or spelling, and the CV made clear that the Russian-named applicant was educated in Finland⁴⁶ and was fluent in Finnish. The ethnicity and gender of the tester was communicated primarily by the name used to sign the letter and appearing at the top of the CV. Examples of CVs are provided in Appendix D.

We constructed the application letters to be as similar as possible. However, they were not identical as that would have caused suspicion. The nine testers presented themselves with 25 different names and six different professional profiles during the data collection period. This resulted in over 70 different CVs, which means that it

46 There are also studies where the treatment of an immigrant with foreign education was compared to treatment of an immigrant with national education. The results in Sweden (Carlsson & Rooth, 2008) showed that the difference in call-back rates was 22%, 5 percentage points of which was explained by foreign education and the remaining 18 percentage points by the name. In Canada, Oreopoulos (2009) found a 16% call-back rate for natives, 5% for immigrants and 11% for immigrants with Canadian experience. In this study the decisive factor was whether the work experience during the last 5 year was obtained in Canada, not whether the degree was Canadian or foreign.

would be highly unlikely that a systematic bias favoring one group would be due to this group having systematically better applications.

The applications were drafted by the researchers in order to avoid bias caused by writing style. However, the applicant pairs were allowed to make minor changes in the applications in order for them to better fit the open post in question. Employers in the restaurant and construction sectors, as well as in accounting, were consulted about the attractiveness and credibility of the applications.

During the phone inquiries, the ethnicity and gender of the applicant was communicated through the name and voice (pitch, accent). All applicants either spoke Finnish as their mother tongue, were bilingual or very fluent. To communicate the ethnicity more clearly, the Russian testers were instructed to use a slight accent. The opening sentences of the testers were standardized as far as possible, but allowed for slight individual and situation-bound differences.

6.6 Sampling and selection of vacancies and cities

The vacancies were chosen according to the ILO guidelines for audit studies (Bovenkerk, 1992, p. 21–22) among “all the vacancies for semi-skilled jobs in industry and the service sector” with the focus on jobs “one step up” from the lowest quality jobs, in which minority employment is assumed to be clustered, often with little competition from majority applicants.

Higher-level positions, such as managerial and professional occupations, could be used for correspondence testing (Bovenkerk, 1992, p. 27–29) where the test is done using only written applications. However, as we included also the phone call stage, we chose semi-skilled jobs, because presenting oneself as a credible candidate for higher-level positions would have required considerable professional knowledge by our assistants.

In order to arrive at statistically valid conclusions with respect to the occurrence of discrimination, we needed 1200 vacancies. Taking into account the scale of the Finnish labor market, this is not an easy task to complete in a short period of time. In order to make satisfactory progress in the collection of cases it was necessary that the demand for labor in the chosen occupations was high and that the vacancies were rather homogeneous so that the same kind of applications could be used for a large number of vacancies.

The ILO research design recommends applying for jobs which are typical in the studied regions. Among vacancies announced by the local employment offices, a small number of specific occupations should be selected to be tested. During our data collection period in the autumn of 2011, there was on average 12 000 job openings

in the national employment office data base (www.mol.fi/paikat). The number of openings in the different sectors are given below:

- 1) Health care and social services 2 500
- 2) Sales 2 350
- 3) Service 2 300
- 4) Administration, office work 1 650
- 5) Engineers, teachers, research, artists 1 500
- 6) Industry 900
- 7) Construction and mining 500
- 8) Transportation 350
- 9) Warehouse 180
- 10) Agriculture, fishery 100

In the largest sector, health care and social services, the jobs are heavily concentrated with only a few large municipality employers. According to the ILO guidelines, having rejected an invitation to an interview once, the same person should not apply again for a vacancy with the same employer.⁴⁷ For this reason, this sector is not very suitable for the purposes of this research. The same is true also for teachers which, together with engineers, make up most of the fifth sector in the list above. Furthermore, an ID-number is often required when applying for a job in the public sector, which means that these positions cannot be applied for with fake applications.

In all sectors, a large share of all vacancies is temporary agency work (also known as temp work, personnel resource agency, intermediary). This reduces the number of individual employers, as recruitment is done through large recruitment agencies. Hence the numbers presented above can be quite deceiving. For example, after removing multiple vacancy notices by the same recruitment agencies or municipality employers, the number of 163 waitress jobs in the capital area is reduced to 71 and the number of construction jobs from 112 to only 36. Some researchers (Cediey & Foroni, 2008, p. 47) have chosen to exclude temporary agency work altogether, since one cannot know whether the discrimination occurred on the initiative of the temporary agency or the client enterprise. However, we chose to include these kinds of positions as they represent a significant proportion of all vacancies in the current labor market. Therefore, an exclusion of this kind of work would make our results less representative of the Finnish labor market. Furthermore, from the point of view of the job seeker, it does not really matter whether the discriminator is the temporary work agency or the client company.

Because the vacancies should not be “lowest quality jobs”, a large share of positions in sales, services and warehouse are excluded when ruling out telemarketing, cleaners, dishwashers, and storemen. In order for the research process to be

⁴⁷ This is because we are not interested in the consistency of the employers' decision-making. Furthermore, a second appearance of exactly the same pair of job seekers almost simultaneously may arouse suspicion.

efficient, the selected sectors need to be internally rather homogenous so that jobs can be applied for using the same CV (e.g., the same waitress' CV is applicable to most waitress jobs). In many sectors, such as engineering, industry or sales, the sought for profiles vary considerable. For instance, a car mechanic cannot apply for a job as a plumber, and sales persons selling designer clothes and hardware need different profiles.

Furthermore, in order to better reflect the number of discrimination cases in the labor market, Heckman (1998, p. 102) argues that the studied occupations need to be such where ethnic minority representatives actually work. We thus needed to consider the amount of men, women, and members of the studied minority group in the chosen professions. For example, studying discrimination against Somali-speaking women in the construction sector would not give a genuine picture of discrimination against this group, because in reality there is not a single Somali-speaking woman employed in that sector in Finland.

Hence, to achieve the highest possible number of vacancies taking into account the conditions outlined above, we chose to apply for restaurant jobs (e.g., chef, cooker, waiter/waitress), semi-skilled office jobs (e.g., accountant, payroll clerk, secretary, receptionist), driver jobs (e.g., taxi driver, truck driver, lorry driver), and construction jobs (e.g., construction worker, painter, tiler).

Previous research has found that gender stereotypes connected to professions to some degree affect the amount of discrimination against men and females (Carlsson & Rooth, 2008a; Riach & Rich, 1995; 2006; Nunes & Seligman, 2000). The gender stereotype of the chosen sectors is as follows; semi-skilled office jobs are female-dominated (81% female employees), driver and construction jobs are male-dominated (93% and 96% male respectively), while the restaurant sector is more ambiguous. Cook jobs are less female-dominated (71% female) than waiter/waitress jobs (77% female). Despite the relatively large amount of females in cook jobs, the professional stereotype for cooks in Finland is more masculine than feminine. For this reason, we hypothesize that women are discriminated in construction, construction and, perhaps, cook jobs, while men are discriminated in semi-skilled office jobs and waiter/waitress jobs.

For the sake of effective data collection, the geographical area was limited to the main economic centers in Finland, which are the capital region (Helsinki and Uusimaa), Tampere and Turku. These regions are also commonly inhabited by the Russian-speaking minority. In order to also take into account Eastern Finland where the proportion of Russians is particularly high we included also Lappeenranta in our study. In the Lappeenranta region, the proportion of Russian speakers is 1.53% (Statistics Finland, 2011g). However, the problem with small cities like Lappeenranta is that there are too few jobs to make any meaningful comparison to other regions possible. Applying for jobs in small cities is also a logistic burden; a new biography (address, cover story, CV) needs to be created for a very small number of vacancies which makes the testers' jobs very complicated.

The vacancies were selected among positions advertised on the web pages of the Employment and Economic Development Office (www.mol.fi/paikat). This forum is the most popular job site in Finland. It includes all open and publicly announced vacancies and is typically used for semi-skilled jobs like the ones we sampled. However, it is possible that some systematic differences, which we do not know of, exist between the jobs announced on this website and those announced elsewhere. Moreover, it has been estimated that on average only about 40% of all open vacancies are announced publicly (Tuomaala, 2009, p. 9). This means that our sample cannot be representative of the labor market with regard to unannounced and thus “hidden” vacancies.

As already discussed, there is not an abundance of vacant jobs in the Finnish labor market. Because of this reason, random sampling could not be applied. Instead, we included *all* the jobs that fit our criteria. We included both private and public sector jobs, as well as jobs with NGOs and temporary agency work companies. After locating the open vacancies, they were randomly assigned to the testers in order to avoid any bias in selecting where to apply.

The data collection was initiated on 12.9.2011 and finished on 13.12.2011 and thus took 3 months. At the time, the Finnish economy was in recession and the unemployment rate was 7% (16% among 15-24 year olds), as compared to 6% and 14%, respectively, before the recession in 2008 during the same time of year (Statistics Finland, 2011h).

6.7 Field procedures

In the **first stage** the testers called the employers in response to an advertised job opportunity to inquire about the continuing availability of the position and at times posing some additional questions about the task. When a vacancy was assigned to a pair of testers, half of the time the Russian tester contacted the employer before his or her Finnish counterpart, while the other half of the time they did the reverse. Both applicants made the call on the same day, typically within approximately one hour of each other.

The critical outcome in the first stage was an agreement to send in an application for the job. An average call lasted for 1 minute and 40 seconds. In Finland, phone contact is not considered mandatory in the application process and some employers are not willing to answer inquiries by phone. In those cases where the employer had not given a phone number in the announcement, the test proceeded directly to the second stage.

In the **second stage**, the applicants sent out applications and CVs. The critical event was the invitation to a job interview. The applications were e-mailed or submitted via online application systems (typical for large organizations, municipalities and

recruitment companies). Both testers sent their applications during the same day via e-mail accounts created for this purpose. The obtained interviews were cancelled after a few days (this was not done immediately, as it might have had an impact on the chances for the other applicant to be called for an interview). The tests were terminated at this point.

The testers were required to record the phone calls⁴⁸ and fill out a pre-structured data form which emphasized factual questions (e.g., Were you allowed to send an application? How many minutes did the interview last? How interested and friendly was the employer?). The information was recorded immediately after making the initial phone call or receiving a reply in response to an application. No subjective judgments concerning whether discrimination had occurred were asked for.

The research supervisor interacted closely with the testers at all stages of the job-seeking process. She selected vacancies to be tested, assigned vacancies to the pairs, and monitored their performance on the spot on the basis of recorded audio tapes and the data submitted through the questionnaires. She also gave feedback on their performance, was available to answer any questions and lead weekly meetings that were used for coordination of the work and for brainstorming to enhance the effectiveness and quality of the data collection process. The psychological well-being of the testers was also taken care of. Furthermore, all employers were sent a debriefing letter informing them about the study after completion of the data collection (see Section 6.2 for more details on the assistants' well-being, as well as the debriefing letters).

6.8 Sample size and statistical power

Due to the limits of our budget and schedule as well as the limited scale of the Finnish labor market we decided to strive for a sample of 1200 tests. As described in Figure 9 in Section 6.9 below, we obtained a total of 1258 tests. We had 677 valid tests in the first stage and 845 valid tests in the second stage.

6.8.1 Statistical power and determining whether there is discrimination

Studying discrimination quantitatively usually means relying on the probability of being able to reject the so called null hypothesis, which in our case is the assumption that “the call-back rates for Russians and Finns do not differ from each other”. If we observe a difference in call-back rates, and if this difference is statistically significant (i.e., the p -value of the difference is at least $< .05$), we can reject the null hypothesis and conclude that there probably is a genuine difference in the call-back rates, meaning that discrimination has probably occurred.

⁴⁸ Due to the Personal Data Act (1999/523, §24), which requires informing the person on recording of the data beforehand, only the voice of the tester (not the employer) was taped.

However, proving that there is *no* discrimination is much more difficult, as the *p*-value only tells us whether the null hypothesis can be rejected as false, but does not allow us to accept the null hypothesis as true (Cohen, 1990). If we assess the success of any two groups in real recruitment situations some difference will inevitably exist (e.g., 0.001 percentage points). If we have a large enough sample, even the smallest difference will become statistically significant, which means that “[t]he null hypothesis [...] is *always* false in the real world” (Cohen, 1990, p. 1308). This is problematic, as it entails that we can never say that discrimination would *not* exist, but only that we need a bigger sample to prove its non-existence. This problem can, to some extent, be approached by analyzing the statistical power of the test.

The statistical power of the test is determined by three things: the significance criterion, the sample size and the effect size (Cohen, 1990; Field, 2003). The effect size is the most problematic of the determinants.⁴⁹ What size of difference in the call-back rates is large enough to raise a suspicion of discrimination? Of course, there is no definite answer to this question. Probably 0.001 percentage points is too small a difference to suspect discrimination, but how large a difference is large enough? Bovenkerk (1992) takes a difference of 15 percentage points as an example, which means that, for example, the Finn would receive a reply to 55% of her or his applications, whereas the Russian to only 40% of the applications. However, many other studies (see Table 19, Section 5.2) consider much smaller differences to be signs of discrimination.

Taking Bovenkerk’s difference of 15 percentage points in call-back rates (= effect size) as our reference point, using the $p < .05$ significance criterion and having a sample size of 845 tests, we can calculate that our analysis has more than 99.99% probability to detect an effect if one genuinely exists (Lenth, 2006). Hence, in the case we do not find a significant effect, we can rather safely conclude that no discrimination exists.

However, if we consider also smaller differences such as 5 percentage points (e.g., call-back rates of 20% for Russians vs. 25 % for Finns) as a meaningful difference and if we want to use smaller samples (e.g., Russian men and women applying for cook jobs, $N = 78$ tests), the statistical power decreases dramatically. In this case, we only have a 9% probability of detecting discrimination if it genuinely exists. (Lenth, 2006.) This means that in the analyses where we have split the data into smaller groups (e.g., by gender or occupation category) there remains a large probability that discrimination remains undetected. Therefore, with small sample sizes it is possible that there actually was some discrimination even when the test was not able to detect it.

49 The *significance* level is conventionally set at $p < .05$, meaning that there is less than a 5% chance that the results could occur by chance. Our *sample* in the second stage was 845 tests (=1690 applications).

6.8.2 Sample used for calculation of statistical significance

As already outlined in Section 6.1, differences in how the situation testing method is applied have important consequences for the way to calculate the net discrimination rate (NDR). According to the ILO guidelines, applications with no answer by the employer for either applicant (majority or minority member) are coded as missing data, whereas in the Urban Institute guidelines such cases represent equal treatment (Bendick, 2007). Consequently, the ILO methodology unavoidably implies a substantial amount of missing data. Following ILO instructions the attrition rate in our test is 25% in the first stage and 73% in the second stage. Hence, according to this calculation, the number of “valid and usable cases” is 569 in the first stage and 242 in the second stage.

In the guidelines for the ILO version of the method (Bovenkerk, 1992; ILO, 2007/2010) it has been proposed that the high attrition needs to be taken into account by oversampling. The guidelines suggest sampling 300 job vacancy announcements per variable in order to arrive at 175 “valid and usable” cases, which is argued to allow for detection of differences of 15 percentage points at a significance level of $p < .05$.

However, we argue that the number of “valid and usable cases” for calculating the NDR should be different from the sample used for calculation of the statistical significance for two reasons. First, because the NDR (and the relative call-back rate as well) in itself cannot be used to test statistical significance⁵⁰ and second, when calculating the statistical significance of the difference in call-back rates there is no reason to leave out those cases where neither of the applicants was invited. In our opinion, the arguments outlined in Section 6.1 apply only to calculation of the NDR, not to the chi-square test on statistical significance. Furthermore, excluding these cases would reduce our sample size in the second stages dramatically from 845 to 242 jobs, which would mean that any difference smaller than 10 percentage points would most likely not be statistically significant. Furthermore, any analysis of the differences between sectors or cities would be impossible. Hence, as there is no reason for omitting these cases from the chi-square test, we have computed the tests using all valid cases.

Furthermore, when computing the results on gender discrimination we had no choice but to include also the cases where neither of the testers was invited, because our male and female testers applied for different jobs. Because there were no pairs

50 The NDR is a group level indicator which indicates how large a *share* of the recruitments are discriminatory (also the RCR is a group level indicator and it indicates how many times more the minority applicant needs to apply). Hence, the NDR represents the treatment of *both* minority *and* majority applicants, which means that there is nothing to compare it with (no difference) and hence we cannot compute whether the difference is statistically significant. For this reason we compare the call-back rates of each studied group instead. We use the chi-square test and the McNemar test to calculate if there was a statistically significant difference between Finns and Russians (or men and women) in receiving an invitation to an interview (=“call-back”).

of female and male applicants, a “neither male nor female invited” category does not exist.

6.9 Data description

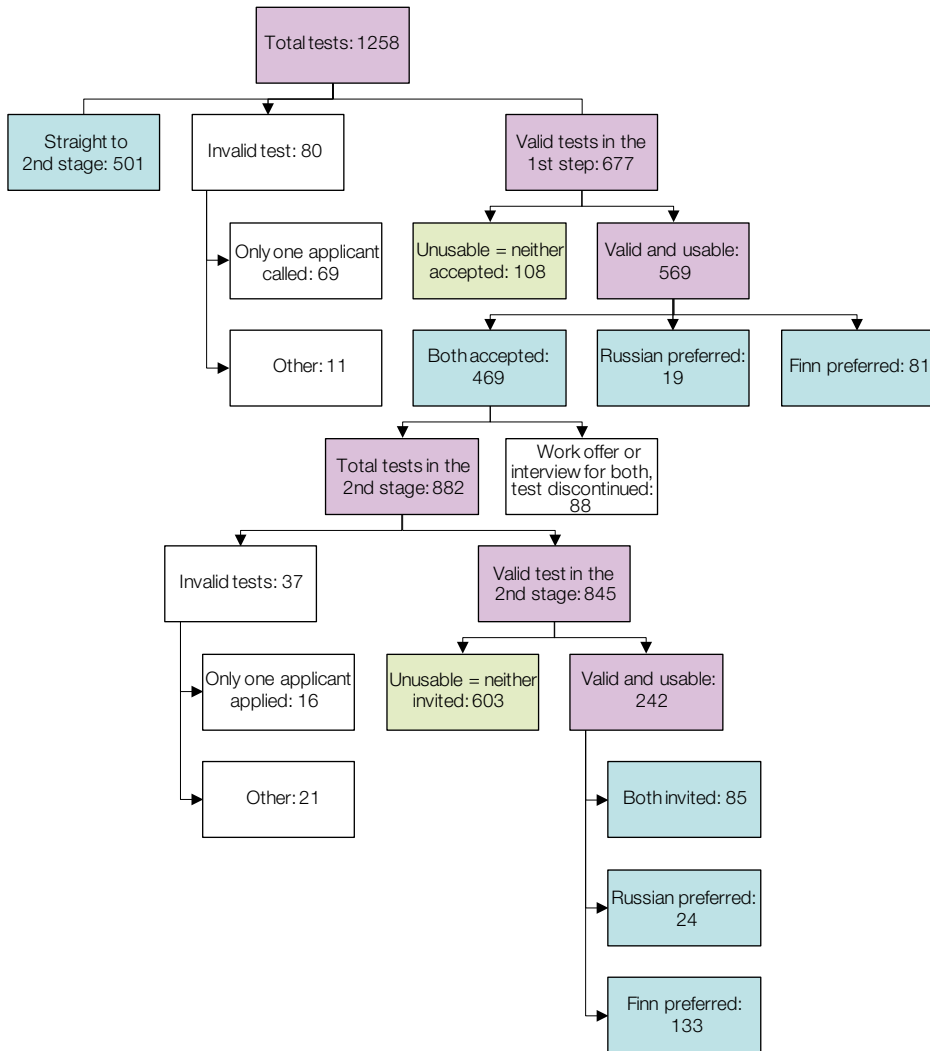
In Figure 9 we present a break-down of the collected data of 1258 job advertisements. In 501 cases there was no phone number in the job advertisement or the employer could not be reached, which resulted in these cases moving straight to the second stage. This resulted in 757 cases in the first stage, 80 of which were judged to be invalid – predominantly because only one applicant had succeeded to reach the employer. Thus, in the first stage there were 80 invalid and 677 valid cases.

In the first stage both applicants were rejected in 108 of the 677 valid tests (usually because the job was no longer available) which renders them unusable (see Section 6.1 for a discussion on this decision). In the first stage we thus obtained 569 valid and usable tests, which means that in these cases at least one of the applicants was encouraged to send in an application. As presented in Section 6.1, we recorded the results according to whether the employers treated the applicants equally or differently. In the first stage both applicants were treated equally in 469 cases and in 100 cases the employer preferred either the Finnish-named (81 cases) or the Russian-named (19 cases) candidate.

In 88 cases both applicants were offered an interview or even the job straight away during the phone call. Naturally, these tests were completed at the first stage as it was no longer necessary to continue to the second stage. Hence, 381 tests in which both applicants were treated equally and encouraged to send in their application moved to the second stage, together with those 501 tests which were transferred directly from the first stage to the second stage because of lacking phone numbers.

In the second stage 37 cases were judged invalid, most often due to failures in coordination that resulted in only one applicant sending the application. This left us with 845 valid tests in the second stage. However, as expected, most of our applications did not receive a reply by the employers. Consequently, 603 tests were judged unusable, leaving only 242 tests for the final analysis. Out of these, the testers were treated equally in 85 cases. This means that both were invited for an interview or offered the job straight away. However, in 157 cases there was preferential treatment either in favor of the applicant with a Finnish (133 cases) or a Russian (24 cases) name.

Figure 9. Number of valid and invalid tests in the 1st and 2nd stage



6.10 Validity analyses

In general, our applicants succeeded to perform as credible candidates. At least one of the applicants was encouraged to apply during the phone call or was invited for an interview after sending in an application in 85% (phone calls) and 29% (applications) of the tests, respectively. These rates suggest that employers generally perceived the testers to be credible, qualified job applicants. Out of a total of 1258 tests the employer expressed that s/he did not believe the applicants to be genuine bona fide job seekers in only nine cases (0.7%), and these nine tests were all removed from our data.

However, the validity of the situation testing method rests upon the extent to which researchers are able to exclude all differences between the job applicants with the exception of the studied characteristic(s); in our case ethnic background and gender (Bovenkerk, 1992, p. 30). We have carefully selected and trained our testers to match each other on all job-related characteristics. However, the critics of situation testing (e.g., Heckman, 1998) have argued that despite the researchers' efforts to match the applicants on all relevant characteristics (e.g., personality, voice) there might be unobvious but significant differences in their personalities or interaction style that cause biases in the result.

We took this criticism into account by recruiting at least two testers (= research assistants) to play each of the four characters (male and female Russian and Finn). In this way, the results for one character are not dependent on only one person's performance and it is not very likely that, for example, *all* three assistants impersonating a Russian-named male applicant would have, for example, an inferior interaction style compared to the other testers.

In addition, when a vacancy was assigned to a pair of testers, half of the time the applicant with Russian origin was instructed to contact the employer before his or her Finnish counterpart, while the other half of the time the Finnish applicant contacted the employer first. In this way it is ensured that a preference for either applicant was not caused by them being always the first/last to contact the employer.

There are also statistical procedures that can be used to check if we have been successful in matching the candidates. As suggested by Bovenkerk (1992, p. 39; 1995, p. 12) researchers (Attström, 2007; Allasino et al., 2004; Fibbi et al., 2003; Pager et al., 2009) have used chi-square tests to compare the net discrimination cases for each pair of tester against the expected number of net discrimination cases for each pair.⁵¹ Each of the pairs would produce approximately the same amount of discrimination cases in case the combination of tester in the pairs of testers would not matter. However, if one pair shows a deviant result, the data should be investigated more closely. In this section we will present the results regarding the validity of our data with respect to the equivalence of the applications and our applicants.

The tester pairs were changed systematically, which means that each minority tester worked with each majority tester of the same gender. We conducted chi-square tests (Field, 2009, p. 688) on the performance of all pairs of testers in the first (phone call) and second (application letter) stage. We computed the observed

51 As another validation test Pager (2007) suggests that "(b)y comparing audit outcomes for testers who did and did not interact with employers, we can assess the degree to which in-person interaction leads to a different distribution of results" (Pager, 2007, p. 117). However, in the job-seeking process those who have made contact to the employer before sending an application are often given priority and hence a different distribution of results may be caused by this "better" application strategy. This pattern was observed also in our results. We compared the differences in the likelihood of the Finnish- and Russian-named applicants to get an invitation to a job interview depending on whether or not they had called the employer before sending in their applications. The results show that for both groups, calling prior to sending written application increased their odds for getting invited into an interview. Most importantly, the relationship was stronger and more significant with Russian-named applicants, which indicates that telephone contact prior to sending application was even more important for them than for the Finnish-named applicants. However, this kind of test fails to detect problems caused by individual testers or pairs of testers. Because of this, we suggest that the validity tests should be done by comparing individual tester performances within the relevant tester group.

number of discrimination cases (subtraction of tests in favor of majority applicant from those of the minority applicant) for each pair and compared these figures to the expected number of discrimination based on the results of all pairs.⁵² In theory all pairs should obtain the same proportion of discrimination (= expected result), but in practice other results occur (= observed result). Using chi-square tests we can calculate whether the difference between the observed and the expected result among different pairs is large enough to be statistically significant and hence provide reason to doubt the validity of the data.

First we computed the χ^2 score from the results of male testers in the first stage ($\chi^2(5) = 38.75, p < .01$). The test result was significant which means that some of our male pairs deviate from other male pairs. Looking at the results more closely we found that one male tester (representing the minority) had more discrimination cases than the other male minority testers when working with both majority testers, which might cause validity problems.

The χ^2 test was significant ($\chi^2(3) = 31.19, p < .01$) also for female testers in the first stage. This suggests that also among female testers some pairs performed better than others. Inspecting the results more carefully we found that two pairs deviated from the expected distribution. Both pairs included the same minority female tester. The deviations for the two pairs were, however, in opposite directions and probably due to different composition of the jobs the two pairs had applied for. Hence, we found it reasonable to conclude that the validity of the results among female testers gives no reason for concern.

Before eliminating the data of the most “deviant” male tester from the first stage we wanted to investigate *why* his results deviated from those of the other testers. From qualitative observation of the testing procedure, we knew that this tester was the only minority applicant having an “authentic” accent. All other minority testers were practically bilingual and emphasized accent on purpose. Hence, removing this particular tester might cause an underestimation of the real extent of discrimination, because the discrimination ground (being Russian) was more obvious in the case of this tester than in the case of other testers and it would thus be expected that he would experience more discrimination. A similar case has been reported in France (Cediey & Foroni, 2008) where the authors decided to keep the deviant tester in the analysis because a stronger accent does not legitimize the discrimination: his accent merely suggested the apparent origin that he was in any case supposed to display, and not having any accent was not one of the objective requirements for occupying the vacancies tested.

Because this particular male tester had the strongest Russian accent the question arises whether his Finnish skills were objectively sufficient for the jobs he applied for. Our own judgment is that he hardly made any grammatical mistakes. We decided

52 We also conducted chi-square test on the distribution of the results of all pairs on different outcome types (equal treatment, Finn preferred, Russian preferred, neither accepted) and by comparing the call-back rates. The results were, however, very similar to the analysis presented in this section.

to investigate this matter by analyzing his results separately within different labor market sectors. The results showed that he faced clearly less discrimination when applying for office jobs as compared to restaurant, construction and driver jobs. His good results in office jobs suggest that the language skills per se was probably not the reason for discrimination, as secretary jobs presumably require better language skills than construction jobs. However, the results of this analysis were not clear enough to allow us to remove his data only from the construction and logistics sector.

In addition, or as an alternative to the salient accent, however, there might have been some differences in personality, level of motivation or communication style of this tester that made him different from others. This hypothesis is difficult to prove with our data and hence we do not know whether these factors had an impact. However, if this would be the case, his results should be removed from the first stage to increase the validity of the test.

It is clear that there is not an ideal single way to deal with this concern. The deviation may be caused either by his ethnicity being more obvious, which suggests that his data should be retained, or it may be caused by a less successful interaction style or personality, which suggests that it should be removed. We opted for the more rigorous alternative and thus removed his results from the first stage. However, for the sake of transparency and comparability we decided to present the results of the first stage both including and excluding this particular tester.

We conducted the same analysis also for the results in the second stage, but no differences between testers were observed. The result of the second stage seems logical because there was less interaction that could cause any bias. We also explored this a bit further and compared two types of second stage results: those where a phone call had preceded sending the application (more interaction) and those where the application was sent without phone contact (less interaction). The results suggest that even when a phone call had preceded sending an application there were no significant differences among testers in the second stage. For this reason we decided to include all testers in the second stage.

The final question regarding validity addresses the application letters and the CV's. We constructed the application letters to be as equivalent as possible. However, they were not identical, as that would have caused suspicion. We had nine assistants who presented themselves with 25 different names and six different professional profiles. That resulted in over 70 different applications meaning that it would be highly unlikely that a systematic bias favoring Finnish-named applicants would be due to the Finns having systematically better applications. All applications were drafted by one researcher to avoid bias caused by writing style. However, the applicant pairs were allowed to make minor changes to the application in order to fit it better to the open post in question.

To assess whether the application type made any difference, we controlled for the layout, font type and structure (e.g., application A presented education first and

work experience after that, application B was constructed in the reverse order). However, when tested afterwards, there was no correlation (Pearson's $r = .032$, ns.) between application type and the likelihood of getting an invitation to an interview. Furthermore, the mean values for getting invited to an interview using application A or B did not differ significantly from each other ($\chi^2(1) = 1.63$, $p = .215$). Thus, on average both types of applications received the same amount of invitations to an interview and hence discrimination cannot be attributed to differences in applications.

7 Results

The results on recruitment discrimination are presented in Sections 7.1-7.8. Discrimination is analyzed according to ethnicity, occupational sector, gender, ethnicity/gender/occupation combined, across different cities, and between public and private sector, as well as temporary agency work.

The data will be analyzed and reported according to the ILO standards providing full information on the data collection procedure (Riach & Rich, 2002), discrimination percentages counted using both ILO and UI standards (Bendick, 2007; Carlsson & Rooth, 2007; Riach & Rich, 2002) as well as cumulative percentage (Bendick, 1996; Cediey & Foroni, 2008), which makes comparison to other studies using situation testing easier.

Finally, in Section 7.8, we also discuss how the preferential treatment occurred with concrete examples from the phone calls.

7.1 Ethnic discrimination

The results presented in Table 21 show that there is a large difference in the call-back rates for Finnish- and Russian-named applicants in the second stage. After sending an application, 26% of the applicants with a Finnish name but only 13% with a Russian name got invited to an interview. The relative call-back rate (RCR) is 2.00 which means that an applicant with a Russian name needs to send twice the amount of applications in order to get invited to an interview in comparison to an equally qualified applicant with a Finnish name. The net discrimination rate (NDR) indicates that an applicant with a Russian name is discriminated against in 45% of the recruitment situations. The difference in call-back rates is also statistically very significant ($p < .000$), which means that the probability that the result would occur by chance is less than 0.1%.

The results concerning the first stage are more difficult to interpret. Because of the validity concerns presented in Section 6.10 we decided to omit the data of one male minority tester from the results of the first stage. However, because there are also strong arguments for keeping his data in the analysis, we present the results both excluding and including his data.

Looking at the results in Table 21 it can be seen that the differences in call-back rates in the first stage are much smaller than in the second stage. When calling to ask whether the job was still available, 82% of the applicants with a Finnish name got a positive response compared to 76% of applicants with a Russian name. The RCR was 1.08, which means that the applicant with a Russian name needed to make 8% more phone calls than the Finnish-named applicant in order to be encouraged to

send an application. The NDR indicates that discrimination against Russian-named applicants occurs in 7% of the phone calls.

This difference in the treatment of Russian and Finnish applicants is rather small in the first stage. Using Pearson's chi-square test the difference is not statistically significant, which means that the result may have occurred by chance. However, when using McNemar's chi-square test for within-subjects design the difference in the treatment of Russian and Finnish applicants is statistically significant at the $p < .05$ level. The difference between Pearson's and McNemar's tests is that the latter takes into account that the applicants are paired because they apply for the same position. Hence, the expectation is that they are treated in the same way when applying for the same position. Pearson's test, on the other hand, compares the treatment of Finnish and Russian applicants in *all* the positions they applied for. Hence, the expectation in this test is that the applicants get the same share of positive and negative responses. It can be argued that in the first stage McNemar's test is perhaps better suited for the purpose, as it can be expected that the applicants should be treated in the same way, i.e., allowed to send in an application. However, sometimes interviewing only one applicant may suffice and thus it cannot necessarily be assumed that an employer would invite both applicants to an interview. Hence, in the second stage we prefer Pearson's test.

Furthermore, when keeping the data of the minority applicant with a more recognizable accent in the analysis, the NDR increases slightly to 11% and makes the difference in the call-back rates clearly significant ($p < .05$) also when using Pearson's test.

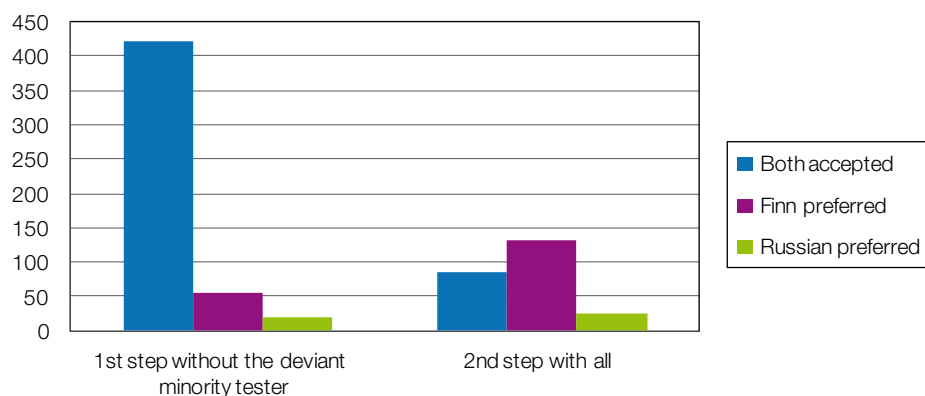
Hence, relying on McNemar's test and taking the more rigorous position by removing the minority applicant with a stronger accent we conclude that there was also some discrimination in the first stage when the applicants asked whether they could still apply for the job. However, it seems that employers in Finland do not generally use phone inquiries as a screening method as only 7 % of the employers denied qualified minority applicants the chance to apply altogether.

Nevertheless, the larger picture seems very clear: Based on our results, ethnic discrimination is frequent (45% of all recruitment situations) when the employers decide whom to call for an interview. Clearly, having a Russian name makes getting a job much more difficult.

Table 21. Relative call-back rate and net discrimination rate in the 1st and 2nd stage

	Number of jobs	Neither invited	At least one invited	Both invited	Finn preferred	Russian preferred	Call-back rate for Finns	Call-back rate for Russians	RCR	NDR	χ^2 (Pearsons's chi square test on the difference in call-back rates)
	a	b	c	d	e	f	(e+d)/a	(f+d)/a	(e+d+)/(f+d)	(e-f)/c* 100	
1 st stage without 1 minority male tester	582	87	495	421	55	19	82 %	76 %	1,08	7 %	$\chi^2(1)=1.424$, p=.239 (2-tailed test), p=.131 (1-tailed test) McNemar test p = .023
1 st stage, all testers	677	108	569	469	81	19	81 %	72 %	1,13*	11 %	$\chi^2(1)=5.708$, p=.018 (2-tailed test), p=.010 (1-tailed test) McNemar test p = .000
2 nd stage, all testers	845	603	242	85	133	24	26 %	13 %	2,00***	45 %	$\chi^2(1)=42.433$, p=.000 (2-tailed test), p=.000 (1-tailed test) McNemar test p = .000
RCR=Relative Call-back Rate; NDR=Net Discrimination Rate. These indicators are calculated based on sample in column c. The chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a. *** = p < .001 (2-tailed); * = p < .05 (2-tailed)											

Figure 10. Number of cases in each category, 1st and 2nd stage



Various other means also exist for reporting the results of situation tests. As already mentioned, the Urban Institute uses an equation which includes also the tests where the applicants received no answer whatsoever. For reasons discussed in Section 6.1, we do not prefer the UI version of the method. Calculated like this our data would produce NDR of 13% in the second stage and 6% in the first stage. In our opinion, however, these numbers do not reflect the fact that applicants with a Russian name need to send twice the amount of applications as applicants with a Finnish name in order to proceed in the process.

Some researchers (e.g., Cediey & Foroni, 2008) also use the so called *cumulative NDR* to describe the accumulation of discrimination in the recruitment process. The idea is reasonable – it is true that the discrimination in the second stage is actually larger than the percentage of that stage alone would indicate because those who did not “survive” the first stage are excluded from the calculation. There are two different equations for calculating the cumulative NDR but we find both of them unsuitable for this purpose. One way is simply to combine the percentages of the different stages (see, for example, Cediey & Foroni, 2008). If we add together the NDRs of the first and second stages, we would produce a figure of 52%. Ideally, this figure should also include the last stage of recruitment (the interview) which was not included in our study. However, this equation is very sensitive to the number of stages in the study. It is not evident that there are only three stages in the recruitment. By designing the study so that it has many small stages it is easy to produce percentages that exceed one hundred. In fact, this occurs sometimes already with two or three stages. A percentage which easily exceeds one hundred is very difficult to interpret and cannot be considered very useful.

The other equation is proposed by the ILO and Bovenkerk (1992, p. 32). It consists of adding together the subtractions of preferential treatment of applicants with a Russian name from those of applicants with a Finnish name in the different stages and then dividing the result with the number of all valid and usable applications. In our data this would produce following calculation:

$$(55-19) + (81-19) / 495 = 0.1979 = \mathbf{20\%}$$

This calculation, however, rather presents the *average* discrimination across different stages than the *accumulation* of the discrimination. For this reason we are reluctant to use this figure as an indicator of the accumulation of discrimination.

7.2 Occupational sectors

As shown in Table 22, there was discrimination in all occupational categories. The sample for jobs as taxi, truck and other delivery van drivers was too small (only 13 valid and usable cases) to be analyzed separately and it was therefore combined with construction worker jobs. Despite the smaller sample sizes in this analysis, the

differences in call-back rates between applicants with Finnish and Russian names remained statistically significant, although some of them only when using one-tailed test.⁵³ This implies that there is discrimination in all sectors.

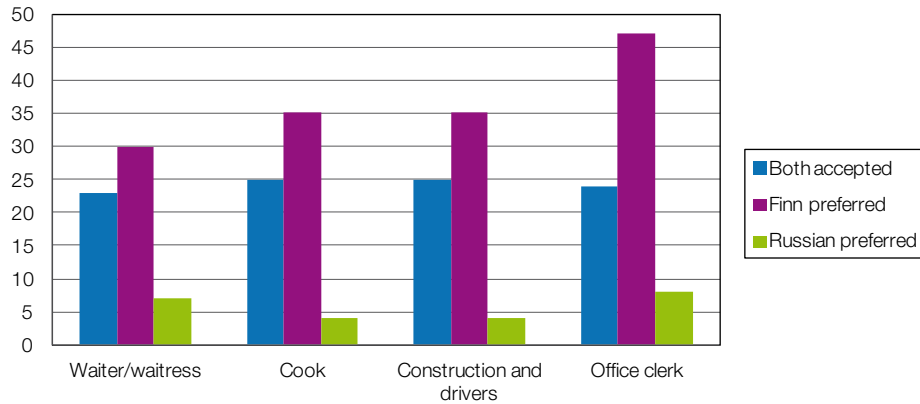
The differences in the ethnic discrimination between different occupations were not statistically significant, which means that there was approximately the same amount of discrimination in all occupations. In all occupations the net discrimination rate usually ranged from 38% to 48%.

Table 22. Ethnic discrimination in different occupational sectors (2nd stage)

	Jobs	Neither invited	At least one invited	Both invited	Finn preferred	Russian preferred	Call-back rate for Finns	Call-back rate for Russian	RCR	NDR	χ^2 (Pearson's chi square test on the difference in call-back rates)
	a	b	c	d	e	f	(e+d)/a	(f+d)/a	(e+d+)/(f+d)	(e-f)/c* 100	
Waiter/waitress	181	121	60	23	30	7	29 %	17 %	1,77**	38 %	$\chi^2(1)=8,443$, p=.004 (2-tailed test), p=.003 (1-tailed test)
Cook	155	91	64	25	35	4	39 %	19 %	2,07***	48 %	$\chi^2(1)=14.091$, p=.000 (2-tailed)
Construction and drivers	203	164	39	13	21	5	17 %	9 %	1,89+	41 %	$\chi^2(1)=4.186$, p=.057 (2-tailed test), p=.028 (1-tailed test)
Office clerk	306	227	79	24	47	8	23 %	10 %	2,22***	49 %	$\chi^2(1)=17.631$, p=.000 (2-tailed)
<p>RCR=Relative Call-back Rate; NDR=Net Discrimination Rate. These indicators are calculated based on sample in column c.</p> <p>The Pearson's chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a.</p> <p>*** = $p < .001$ (2-tailed); ** = $p < .01$ (2-tailed); + = $p < .05$ (1-tailed) and .01 (McNemar)</p> <p>Pearson's chi square test on the difference between sectors in distribution on columns d and e: $\chi^2(3)=1.425$, p=.700 (2-tailed)</p>											

53 A one-tailed test implies that we have made a directional hypothesis, e.g. that Finnish-named applicants are treated *better* than Russian-named applicants (not just that Finnish- and Russian-named applicants are treated *differently*). Using this test is justifiable as we have good reason to believe that it is the Russians, and not the Finns, who experience discrimination on the ground of ethnicity in Finland. The two-tailed test is more rigorous: it is non-directional which means that the expectation is that the difference can be in either direction. (Field, 2003, p. 155.) In addition, using McNemar chi-square test the results were significant at $p < .01$ level in all sectors.

Figure 11. Number of cases in each category, presented by occupation (2nd stage)



7.3 Regions and cities

We conducted the tests in major cities in Finland, including the capital region (Helsinki, Vantaa, Espoo, other small municipalities in the Uusimaa region such as Kerava, Sipoo, Kauniainen, Tuusula, etc.), the Turku region, the Tampere region, and the Lappeenranta region. Due to the small sample sizes in all other cities than Helsinki, we decided to group the results as follows:

- 1) Helsinki
- 2) The Uusimaa region (excluding Helsinki)
- 3) Turku, Tampere and Lappeenranta region

The results of the test according to region are shown in Table 23. The net discrimination rates and relative call-back rates were very close to each other in all regions and there were no statistically significant differences *between* the regions. However, as expected, the differences in call-back rates for Finnish- and Russian-named applicants were significant in all regions, meaning that there was ethnic discrimination in all regions.

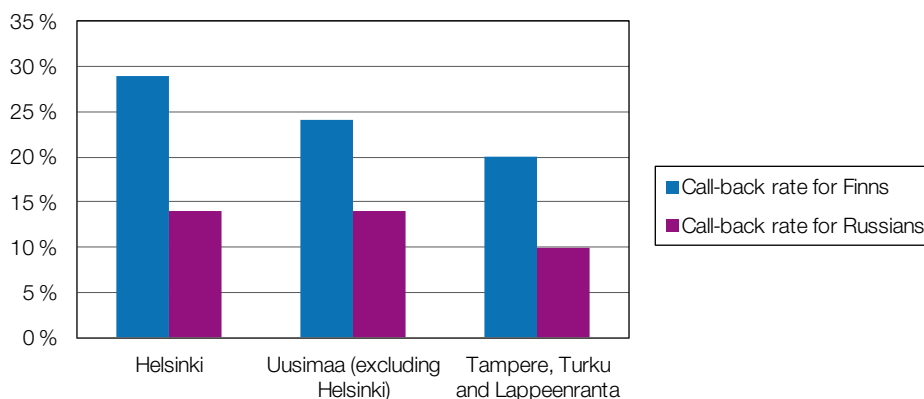
Table 23. Ethnic discrimination in different cities (2nd stage)

	Number of jobs	Neither invited	At least one invited	Both invited	Finn preferred	Russian preferred	Call-back rate for Finns	Call-back rate for Russians	RCR	NDR	χ^2 (Chi square test on the difference in call-back rates)
	a	b	c	d	e	f	(e+d)/a	(f+d)/a	(e+d+)/(f+d)	(e-f)/c*100	
Helsinki	429	296	133	49	74	10	29 %	14 %	2,08***	48 %	$\chi^2(1)=25.468$, p=.000 (2-tailed test), p=.000 (1-tailed test)
Vantaa, Espoo, other Uusimaa	247	178	69	25	35	9	24 %	14 %	1,76**	38 %	$\chi^2(1)=9.029$, p=.004 (2-tailed test), p=.002 (1-tailed test)
Tampere, Turku and Lappeenranta	168	129	39	11	23	5	20 %	10 %	2,13**	46 %	$\chi^2(1)=7.753$, p=.006 (2-tailed test), p=.004 (1-tailed test)

RCR=Relative Call-back Rate; NDR=Net Discrimination Rate. These indicators are calculated based on sample in column c.
 The chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a.
 *** = $p < .001$ (2-tailed); ** = $p < .01$ (2-tailed)

Chi square test on the difference between sectors in distribution on columns d and e:
 $\chi^2(3) = 0.843$, $p = .656$ (2-tailed)

Figure 12. Call-back rates for Finnish-and Russian-named applicants, presented by city/region (2nd stage)



7.4 Public/private sector and temporary agency work

Because we had chosen to sample jobs in the restaurant, construction, driving and office sectors, we had very few (7%) tests from the public sector and the so called third sector (NGOs, foundations, associations). However, to assess whether there were significant differences between these sectors we compared the discrimination rates across these categories.

The results showed that the RCR was 2.00 in both sectors and also the χ^2 -test showed that there were no differences between the sectors. However, the sample size for the combined public and third sectors was only 71 tests, meaning that larger samples from the public sector are needed before any conclusions can be drawn about the lack of differences between the public and the private sector.

The number of positions acquired through temporary work agencies and personnel service agencies is currently growing fast in the Finnish labor market. At the time of our data collection, up to 50% of all announcements were posted by temporary work agencies in certain occupations. In order to make our data representative of the current labor market it was very important to also include jobs that were announced by these agencies. However, to avoid applying at the same agency several times, we could not include all of the jobs announced by them and subsequently only 26% of our data is from temporary work agencies.

To assess whether there were any differences between the conduct of recruitment agencies and other employers we compared the call-back rates for Finnish- and Russian-named applicants in these two types of jobs. The sample for this analysis was sufficient ($N = 224$ and 617 , respectively) and as the χ^2 -test comparing these two categories of recruiters was non-significant we can safely conclude that no statistically significant differences were found in the amount of ethnic discrimination between temporary work agencies and other employers, although ethnic discrimination occurred to a significant extent in both categories.

However, the temporary work agencies invited a higher percentage (36%) of people to an interview than other companies (26%), which means that it was easier for both Finnish- and Russian-named applicants to get invited for an interview in temporary work agencies.

Table 24. Ethnic discrimination by temporary agency firms and other firms (2nd stage)

	Jobs	Neither invited	At least one invited	Both accepted	Finn preferred	Russian preferred	Call-back rate for Finns	Call-back rate for Russian	RCR	NDR	χ^2 (Chi square test on the difference in call-back rates)
	a	b	c	d	e	f	(e+d)/a	(f+d)/a	(e+d+)/(f+d)	(e-f)/c* 100	
Temporary agency work	224	142	82	30	42	10	32 %	18 %	1,80***	39,02 %	$\chi^2(1)=11.786$, p=.001 (2-tailed test), p=.000 (1-tailed test)
Other	617	458	159	54	91	14	24 %	11 %	2,13***	48,43 %	$\chi^2(1)=31.412$, p=.000 (2-tailed test)

RCR=Relative Call-back Rate; NDR=Net Discrimination Rate. These indicators are calculated based on sample in column c.
The chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a.
*** = $p < .001$ (2-tailed)

Differences in the distribution between temporary agency and other work on columns d, e, f,:
 $\chi^2(2)=2.171$, p=.338 (2-tailed)

7.5 Gender discrimination among Finnish-named applicants

Based on previous research on gender discrimination (Booth & Leigh, 2010; Riach & Rich, 1995; Riach & Rich, 2006; Weichselbaumer, 2004) it was hypothesized that women would be discriminated against in more “masculine” occupations (construction worker, driver, cook) while men would be discriminated against in “feminine” occupations (accountant, secretary, waitress). In order not to blend gender discrimination with the effects on intersectional discrimination (ethnicity and gender), the results for Russian- and Finnish-named applicants were analyzed separately. The results for Russian-named applicants are presented in Section 7.6.

Table 25 displays the results on discrimination on the ground of gender among the Finnish-named applicants. For most occupational sectors the sample sizes are quite small. This means that the differences in the call-back rates would need to be substantial in order to become statistically significant.

Thus, concluding that gender discrimination does, in fact, exist, demands quite substantial differences in the call-back rates of men and women within a particular sector. In this study, however, the difference between the call-back rates for men and women was large enough to elicit a statistically significant result only for the

largest subsample, i.e., the office sector. In line with our expectations, men were discriminated against in office jobs (secretary, accountant, and receptionist). The RCR of 0.49 implies that if the female applicant (with a Finnish name) would need to submit 5 applications for an office job, a male applicant would need to submit 10 applications.

As for all the other sectors, however, it is clear that no statistically significant gender discrimination can be observed. Only for the position as waiter/waitress could a small tendency be observed if it is assumed that only men are discriminated in this stereotypically feminine sector (one-tailed test, see footnote 53 on page 166). The RCR of 0.70 implies that if the female applicant (with a Finnish name) would need to submit 7 applications for an office job, a male applicant would need to submit 10 applications.

Conclusions become more difficult to draw regarding the *absence* of gender discrimination. With no statistically significant differences in the call-back rates it is difficult to judge whether the lack of statistically significant differences in these rates is merely due to small sample sizes or if the differences in the rates are truly small enough to indicate lack of discrimination. As the call-back rate for male and female applicants with Finnish names was almost the same in the construction and driver jobs (17% and 16%, respectively), and it is based on a relatively large sample ($N = 203$), it is safe to conclude that there was no gender discrimination in this sector when inviting applicants for interview. As for cook jobs, women had 8 percentage points lower call-back rates than men, and the sample is smaller ($N = 155$) than for construction and drivers jobs. Computing the statistical power (Lenth, 2006) for the chi-square test regarding cook jobs, we find that our test had a probability of only 26% to find an effect if one genuinely exists. Hence, to be able to conclude that there actually is no discrimination against women when applying for cook jobs, we would need to collect a larger sample.

Hence, our hypothesis was supported only regarding discrimination against men in office jobs and to some extent also in the waiter/waitress jobs. We found no evidence of discrimination against women; in the construction and driver jobs there was no gender discrimination when inviting applicants for an interview. However, regarding cook jobs further evidence is needed in order to draw definitive conclusions.

Table 25. Discrimination on the ground of gender in different occupational categories (2nd stage with only Finnish-named testers)

	Applications	Man invited	Man not invited	Woman invited	Woman not invited	Call-back rate for men	Call-back rate for women	RCR	χ^2 (Pearson's chi square test on the difference in call-back rates)
		a	b	c	d	a/(a+b)	c/(c+d)	CBR men/ women	
Construction and drivers combined	203	19	90	15	79	17 %	16 %	1.09	$\chi^2(1)=0.079$, $p=.852$ (2-tailed test), $p=.465$ (1-tailed test)
Office	301	21	119	49	112	15 %	30 %	0.49***	$\chi^2(1)=9.996$, $p=.002$ (2-tailed test), $p=.001$ (1-tailed test)
Cook	155	23	29	37	66	44 %	36 %	1.23	$\chi^2(1)=1.005$, $p=.383$ (2-tailed test), $p=.203$ (1-tailed test)
Waitress	180	23	71	30	56	24 %	35 %	0.70+	$\chi^2(1)=2.345(1)$, $p=.142$ (2-tailed test), $p=.086$ (1-tailed test)
RCR=Relative Call-back Rate; CRB=Call-Back Rate. These indicators are calculated based on sample in column c. The Pearson's chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a. McNemar's test is not applicable here, as men and women applied for different jobs. *** = $p < .001$ (2-tailed test); + = $p < .010$ (1-tailed test)									

7.6 Multiple discrimination on the ground of gender and ethnicity

To explore whether multiple discrimination occurred (ethnicity *and* gender) we repeated the same analysis on gender discrimination with only Russian-named applicants.

Interestingly, the results did not follow the same pattern as with the Finnish-named applicants. Either there were no statistically significant differences in the treatment of Russian-named male and female applicants or a weak tendency signaling of worse treatment of Russian-named men.

When applying for cook jobs there were no differences in the treatment of Russian-named male and female candidates. This is in line with the results for the Finnish-named applicants. Hence, it seems that ethnicity was the only discrimination ground in cook jobs and gender was not an issue.

Although there seems to be a small 5 percentage points difference in the treatment of Russian-named male and female applicants in office jobs (call-back rates 8% for men and 13% for women) the difference is not statistically significant. Computing the statistical power for this test (Lenth, 2006) we find that the test had only a 47% probability to detect an effect if one genuinely existed. If we are interested in differences as small as five percentage points, we would need a sample of 600 tests to have sufficient statistical power. Hence, we conclude that more evidence is needed in order to draw conclusions on gender discrimination among Russian-named applicants for office jobs. However, among Finnish-named male and female applicants the difference in call-back rates in office jobs was very significant. This means that we found no sign of multiple discrimination in office jobs. Instead, Finnish-named men were discriminated on the ground of their gender and Russian-named men *and* women were discriminated (only) on the ground of their ethnicity in this job sector.

Surprisingly, there seems to be a tendency for Russian-named male applicants to be discriminated against in the stereotypically masculine construction and driver jobs as compared to Russian-named female applicants (RCR = 0.46). This means that if men with Russian names needed to apply 10 times to be invited for an interview, the women with Russian names would succeed with only 5 applications. This is surprising, because there was no difference between Finnish-named men and women. This means that in construction and driver jobs there is multiple discrimination against Russian-named men, as they were discriminated *both* on the ground of their gender *and* on the ground of their ethnicity. Russian-named women were discriminated only on the ground of their ethnicity and Finnish-named men and women were not discriminated at all.

Furthermore, the RCR in stereotypically “feminine” waiter/waitress jobs was marginally significant ($p = .075$ in a 2-tailed test⁵⁴) implying that there seems to be a tendency for Russian-named men to be treated worse than Russian-named women in this job sector. This, too, is a signal of intersectional discrimination, implying that Russian-named men are discriminated both on the ground of their gender and on the ground of their ethnicity. In line with this, there was also a similar tendency for Finnish-named men to be discriminated on the ground of their gender in this job sector.

To conclude, our results regarding multiple discrimination suggest that gender discrimination of Russian-named job applicants does not depend on stereotypical “masculinity” or “femininity” of the occupation. Actually, the only signs of multiple discrimination were found against men in waiter/waitress and construction/driver jobs, the former of which are stereotypically feminine and the latter masculine.

54 Although the result would have been significant ($p = .051$) also on a one-tailed test, we prefer in this situation the more rigorous 2-tailed test as in the case of intersectional discrimination it is not evident in which direction the possible difference in call-back rates would be.

Furthermore, Russian-named female applicants were discriminated only on the ground of their ethnicity, and not on the ground of gender.

Table 26. Discrimination on the ground of gender and ethnicity in different occupational categories (2nd stage with only Russian-named testers)

	Applications	Man invited	Man not invited	Woman invited	Woman not invited	Call-back rate for men	Call-back rate for women	RCR	χ^2 (Pearson's chi square test on the difference in call-back rates)
		a	b	c	d	a/(a+b)	c/(c+d)	CBR men/ women	
Construction and drivers combined	203	7	102	13	81	6 %	14 %	0.46+	$\chi^2(1)=3.118$, $p=.099$ (2-tailed test), $p=.063$ (1-tailed test)
Office	305	11	130	21	143	8 %	13 %	0.61	$\chi^2(1)=2.021$, $p=.190$ (2-tailed test), $p=.108$ (1-tailed test)
Cook	155	10	42	20	83	19 %	19 %	0.99	$\chi^2(1)=0.001$, $p=1.000$ (2-tailed test), $p=.580$ (1-tailed test)
Waiter/ Waitress	181	11	83	19	68	12 %	22 %	0.54+	$\chi^2(1)=3,358(1)$, $p=.075$ (2-tailed test), $p=.051$ (1-tailed test)

RCR=Relative Call-back Rate; CRB=Call-Back Rate. These indicators are calculated based on sample in column c.
 Pearson's chi square test is calculated on the difference in call-back rates between Finnish- and Russian-named applicants. This test is based on the sample in column a. McNemar's test is not applicable here, as men and women applied for different jobs.
 += $p < .010$ (2-tailed test)

7.7 A comparison of ethnic and gender discrimination

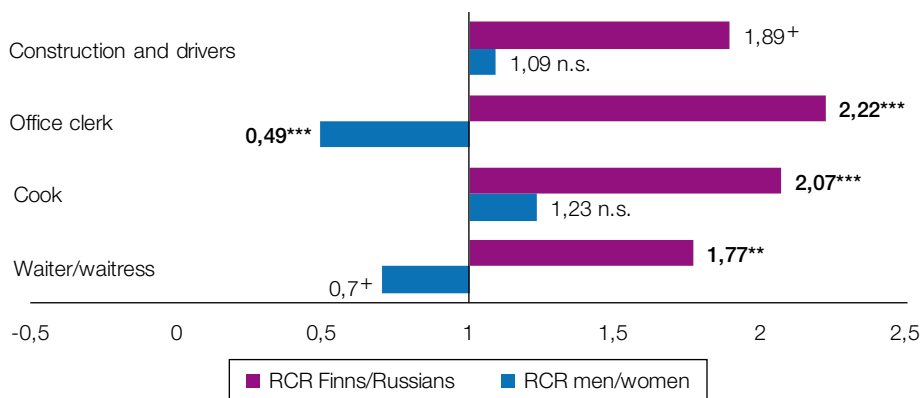
When studying discrimination, one is often faced with the question which groups are discriminated most. In the following Figure 13 we compare our results regarding discrimination based on gender (including only the Finnish applicants) and ethnicity (i.e., having a Russian name) in the second stage of the recruitment process.

Figure 13 presents the relative call-back rates for both ethnic and gender discrimination in different occupations. A relative call-back rate (RCR) of 1 implies that there is no discrimination. For example, there was practically no gender discrimination in construction and driver jobs. Values over 1 imply that the “minority” group (Russian-named or women) was discriminated. For example, in office jobs the Russian-named applicants needed to apply 2.22 times for each time

the Finnish-named applicant had to apply in order to be invited to an interview (e.g., in case the Finn had to send, say, 10 applications, the Russian had to send 22 applications in order to get an invitation). When values are below 1, it means that the “majority” group (Finns or men) was discriminated. For example, in office jobs Finnish-named women needed to apply only 0.49 times for each time Finnish-named men needed to apply in order to be invited to an interview (e.g., in case the woman had to send, say, 5 applications, the man had to send in 10 applications in order to get an invitation).

Looking at the results in Figure 13 it can be observed that the RCRs assessing gender discrimination are overall much lower than those for discrimination based on having a Russian name. The largest deviation from the value 1 in gender discrimination is 0.51 points (among office clerks), whereas in ethnic discrimination it is 1.22 points (also office clerks). Thus, the difference in the size of the deviation from 1 is more than double. The lowest values differed even more: For gender discrimination, the smallest deviation from 1 was only 0.09 points, whereas in ethnic discrimination the lowest value deviated 0.77 points – over eight times more. On average, the RCR assessing ethnic discrimination deviated 1.0 points from the value 1, whereas the average RCR on gender discrimination deviated only 0.3 points from 1. Hence, we conclude that in this study there was over three times more ethnic discrimination than gender discrimination.

Figure 13. Comparison of Relative Call-back Rates for gender discrimination (only Finnish-named applicants) and ethnic discrimination against Russian-named applicants (2nd stage)



RCR = 1 no discrimination; RCR < 1 discrimination against the “majority”; RCR > 1 discrimination against the “minority”.

*** = $p < .001$; ** = $p < .01$; * = $p < .05$; + = $p < .10$; n.s. = non-significant. The level of significance refers to whether the call-back rates between minority (Russian, female) and majority (Finn, male) applicants differ significantly from each other based on Person’s chi-square test.

7.8 Examples of preferential treatment

The quantitative analyses presented in the sections above are based solely on whether the applicants received preferential treatment or not, but take no note of the nature of the discrimination. Therefore it is also interesting to look more closely at *how* the applicants with a Russian name received inferior treatment in relation to the Finnish-named applicant for the same position. In this section, we thus give a qualitative account of the cases in which preferential treatment occurred during the phone call stage. The analysis is based on transcriptions produced by the testers immediately after the phone calls, as well as recorded phone calls.⁵⁵ This examination can only be made with cases of preferential treatment based on ethnicity and not gender. This is because the tester pairs were arranged according to ethnicity and thus consisted of one Finn and one Russian of the same gender.

The reader is reminded that phone calls are not a widely used screening method in the Finnish recruitment culture. The fact that most of the discrimination occurred in the application stage reinforces the conception that employers are prone not to explicitly deny minority applicants the chance to send in an application, even when having no intention to genuinely consider the applicant. This may be due to an interest in presenting oneself in a politically correct manner. However, our data does include clear cases of preferential treatment also in the phone call stage.

All of the cases of preferential treatment in the first stage occurred in private sector positions. In 28 cases the Russian-named applicant was not even allowed to send in her or his application, while the Finnish-named applicant was at least encouraged to apply. In 9 of these cases, the applicant with a Finnish name was in fact invited straight to an interview. There were even a couple of cases where the Finnish-named person was offered work shifts right away over the phone although the equally merited person of Russian origin was told that the position was taken. Furthermore, the Finnish-named applicant received an interview invitation over the phone in 26 cases while the Russian-named applicant was told she or he is welcome with an application but nothing more. Clear untruthfulness on behalf of the employer was detected in four cases. In these cases, the Russian-named person was the first to call and was told that the position had already been filled, but when the applicant with a Finnish name called the position was still available.

It is logical that, in some cases, the employer prefers the tester who is the first to call. There were naturally also cases where the Russian-named applicant received preferential treatment, for example because she or he had the advantage of calling first. However, if no discrimination would occur, the difference between the groups would level out as the Russian- and Finnish-named applicant called first in an equal amount of cases.

⁵⁵ Because the data presented in this section is from the first stage of the experiment, it does not include the deviant male minority applicant (see validity analyses in Section 6.10). The recordings of the phone calls include only the testers' voices; the employers' voices were not taped.

We also recorded various reasons given by employers explaining why the applicant with a Russian name was being turned down and denied the chance to send in her or his application. The recorded reasons include that the employer wants to go through the other applications before deciding whether to accept the Russian-named tester's application and that there are so many other applicants that it is not worth it to apply.

It also occurred that the employer considered the Russian-named applicant to have insufficient skills or merits, while perceiving no problem when it came to the Finnish-named applicant with the same merits. One striking example of such a case is from a high class restaurant who welcomed the application by the Finnish-named but not the Russian-named applicant for a waiter position. The employer was friendly and asked several questions about the background of the Russian-named applicant, but came to the conclusion that the restaurant is "too fancy" for him. He was told that that he is not suitable for the job as he does not have a diploma from a restaurant school. The employer talked to the Finnish-named applicant for roughly as long as to the Russian-named applicant (about three minutes) and asked about the background of this applicant as well. However, the employer found no problem with this applicant's background and encouraged him to apply.

In many cases, preferential treatment occurred although both applicants were initially told that the announced position is no longer available. The Finnish-named applicant was often asked to send in an application for future reference or in case the current situation changes, while the applicant with a Russian name often received nothing but the curt answer that the position is no longer available. For example, one taxi entrepreneur told the Russian-named applicant that he can no longer apply, while the Finnish-named applicant was told that he would be contacted in case a recently recruited unsatisfactory employee does not improve his performance. Below is the transcript of another case where the applicant with a Finnish name was met with preferential treatment when seeking a waiter position.

First call

Employer: [company name]

Russian-named applicant: Hello, this is Vladimir Smirnov. I saw your announcement online, that you're looking for someone for customer service. I just wanted to ask whether--

E: (Interrups) Well, we've already employed someone.

T: Already employed? Okay...

E: Yes.

T: So...

E: Another time.

T: Another time, okay. Thank you. Bye bye.

E: Bye.

Second call

Employer: [company name]

Finnish-named applicant: This is Petteri Nieminen, hi. I'm calling about the waiter job that you announced as available. Is it still?

E: Well it's already taken.

T: Oh okay.

E: But if you'd like, we're probably looking for someone else this spring. We might have a position opening because of a maternity leave, so we're probably starting to recruit again soon. So you can send me some information per e-mail and then maybe I'll be the one to call you next time.

T: Yes okay, let's do it that way.

E: Yes, okay.

T: Good, thank you, bye.

E: Thanks.

T: Bye.

The special arrangements offered to applicants with Finnish names also included other kinds of compromises, such as being interviewed for another position in the same company instead of the announced (and already taken) one or giving the applicant's number to a friend who is also hiring. One of the most conspicuous cases is one where the Russian-named applicant, who called first, was told in a rude manner right after having introduced himself that the taxi driver job was taken. In contrast, the employer chatted with the Finnish-named applicant for several minutes and finally offered him some shifts. Also the Finnish-named applicant was told that the announced job was taken, but that the company in fact also needs someone to do extra shifts, which he was offered.

For each phone call, the testers recorded how friendly and interested the employer was on the phone. Two variables were coded with a scale of 1 to 5; firstly, level of friendliness and helpfulness, secondly, the level of interest in the applicant shown by the employer. Finnish-named applicants were as a rule received with both more friendliness and interest than Russian-named applicants. The t-test showed statistically significant differences between the two groups both for the friendliness variable; $t(1184) = -2.665$, $p = .008$, $r = 0.07$, and for the interest variable; $t(1183) = -.2933$, $p = .003$, $r = 0.085$. However, the effect size was quite small (~8%) meaning that there were many other things too besides ethnicity that affected the friendliness of the employer.

With regards to gender differences, no clear pattern emerged in this comparison.

8 Discussion

In this final chapter we summarize our findings and discuss them in the light of other international studies with similar design. After that we discuss the limitations of our study and the generalizability of our results. Finally we outline directions for future research.

8.1 Conclusions and international comparison

Our results show that having a Russian name and accent significantly decreases a job applicant's chances of getting interviewed for a vacant position in Finland. Discrimination against Russian-named applicants was found in 45% of all recruitment situations in the second stage. The RCR of 2.0 implies that an applicant with a Russian name needs to send double the amount of applications in comparison to an applicant with a Finnish name in order to be invited for an interview.

We found no statistically significant differences between different occupations, which means that there was roughly the same amount of discrimination in all studied occupations. The same was true also for differences between cities, between the public and the private sector as well as between temporary agency work and regular employers. These results suggest that discrimination is a common phenomenon and not restricted on any particular sector. This observation is in line with international research reviewed by Aalto and colleagues (2010, p. 41).

As discussed in Section 5.2, we conclude that it is legitimate to make cautious cross-national comparisons of situation test results. Nevertheless, it must be kept in mind that situation test results cannot be taken to represent general national discrimination levels, but only pertain to the particular setting that was studied.

With regard to ethnic discrimination, the RCR of 2.0 obtained in the second stage of our study is somewhat higher than the typical RCR in other situation tests carried out in the 2000s. Situation tests carried out in Europe show an average RCR of roughly 1.8 in the second stage (see Table 18, Section 5.2.1). Canadian, American and Australian tests have produced somewhat lower RCRs (see Table 19, Section 5.2.1). These results are in line with other research on immigrant integration into host societies and attitudes towards immigrants in traditional nation states vs. so called settler states with a longer tradition of immigration (see, for example, Phinney, Berry, Vedder, Liebkind, 2006; Ward & Masgoret, 2008); attitudes are usually less negative in the latter. Finland belongs to more recent immigration destinations, which is reflected also in the discrimination experiences of ethnic minorities (e.g., FRA, 2009, p. 36) and attitudes towards ethnic minorities (e.g., Eurobarometer, 2008), which are slightly more negative than in EU countries on average.

In particular, our results are worth examining in relation to those obtained in Sweden, due to the similarity of the labor markets in the two countries. The Swedish situation tests produced a RCR of roughly 2 in the second stage (see Section 5.2.1). Based on these results, Russian-named applicants in the studied Finnish cities and applicants of Middle Eastern origin in the studied Swedish cities seem to face similar amounts of discrimination.

Our findings from the first stage (phone call) indicate that there was discrimination also in 7% of the cases when applicants called to inquire about the availability of the position. Usually this was demonstrated by the employer telling the Russian applicants that the position was no longer available, although the Finnish applicant was encouraged to send in an application. However, the discrimination in the phone call stage was not as frequent as in the application stage (45% of the jobs).

The RCRs for the phone call stage found in Sweden and in our results for Finland are very similar: 1.08 in Finland and 1.06 in Sweden (Attström, 2007, own calculations). This underlines the point made by Attström (2007, p. 44) that Swedish employers rarely rely on phone calls as a screening method, but are rather inclined to welcoming applications by all applicants. Screening out unattractive applicants occurs then later when choosing whom to call to an interview. As pointed out in Section 7.1, this is very much true also in Finland. We can reasonably assume that political correctness when minority applicants call (i.e., unwillingness to explicitly discourage minority members to apply even when the employer has no interest in the applicant) has resulted in comparably lower discrimination rates in the first stage both in Finland and Sweden, as compared to the discrimination in the second stage.

When it comes to gender discrimination, our findings are to a certain degree in line with results from situation tests carried out in other countries, which have shown a partial trend of men being discriminated when applying for stereotypically “feminine” occupations (see Section 5.2.2). However, the trend of women being discriminated in typically “masculine” occupations was not confirmed by our data.

We found evidence of discrimination against male applicants with Finnish names in office jobs and a tendency of discrimination against men in waiter/waitress jobs (see Section 7.5). Similar results have been obtained in Sweden, where Carlsson and Rooth (2008a) identified discrimination against men in female-dominated occupations in Stockholm and Gothenburg, but not against women in male-dominated occupations.

The lack of evidence of recruitment discrimination against Finnish-named women can be considered uncommon compared to studies carried out in other countries. Several foreign studies using the situation testing method have identified recruitment discrimination against women in male-dominated occupations (Riach & Rich, 1995; Riach & Rich, 2006; Nunes & Seligman, 2000, ref. Riach & Rich, 2002).

However, as pointed out by evidence from other studies (e.g., Riach & Rich, 2002), women are often discriminated when applying for high status posts. Situation testing commonly uses either entry-level or semi-skilled jobs. This implies that the research

design may not be very suitable for studying gender discrimination. Furthermore, as indicated by studies on wage discrimination (European Commission, 2007; Korkeamäki et al., 2004; Asplund, 2008; Nieminen, 2008), the problems of women in working life may reside more in the wage discrimination and promotion than in recruitment.

Regarding multiple discrimination based on gender and ethnicity we found a tendency of discrimination against Russian-named male applicants in construction, driver and waiter/waitress jobs. It is interesting to note that the disadvantage against Russian-named men occurred in stereotypically feminine sectors (waitress) but also masculine sectors (construction and driver). This implies that the pattern found among the general population regarding gender discrimination (i.e., that the discrimination depends on the stereotypes of the occupations), does not apply to Russian-named applicants.

Again, similar results have been obtained in Sweden. Arai et al. (2010) showed that men with Arabic names have a disadvantage as compared to women with Arabic names when applying for masculine and feminine jobs in Stockholm, when the applicants are especially merited.

Our results show that in this study there was over three times more ethnic discrimination than gender discrimination. This is in line with results from previous studies. While victim studies have shown that roughly half of all Russian respondents have perceived ethnic discrimination in a recruitment situation, 5% of men and 7% of women in the general population have perceived recruitment discrimination according to the Quality of Work Life Survey 2008⁵⁶ (Jasinskaja-Lahti et al., 2002; Jasinskaja-Lahti & Liebkind, 1997; Ombudsman for Minorities, 2010a; Pohjanpää et al., 2003; Statistics Finland, 2008). Also other studies have found that 5–6% of the Finnish population perceives discrimination based on gender (Eurobarometer, 2008; Suoranta, 2007). In some studies directed at entire populations we observe more gender than ethnic discrimination in absolute numbers due to the small proportion of ethnic minority respondents (see also Section 2.1.1 and footnote 56). However, when looking at the relative amount of discrimination faced by certain groups, it seems clear that ethnic minorities are more likely to face discrimination than members of the general population on the ground of gender (see e.g., Aalto et al., 2010).

Furthermore, comparing the results obtained in this study to the results obtained in various victim surveys, we see that there might be tendency for people to underestimate the discrimination they have faced. As 45% of the recruitment situations in our data were discriminatory, this implies that if a Russian job seeker in the studied occupational sectors applies for two different jobs she or he will be discriminated on average in one of them. Hence, to the extent that we can generalize our results to the entire labor market one could expect that all Russians who have

56 However, in the Quality of Work Life Survey 2008, only 5% of respondents of foreign origin reported having perceived discrimination in a recruitment situation (Statistics Finland, 2008). This deviant result can with good reason be ascribed to the very small and thus unrepresentative sample of ethnic minorities.

applied for at least two job openings would probably have been discriminated at least once. However, victim surveys show that only about half of the Russian respondents have perceived discrimination in a recruitment situation (see Section 6.3). As the survey respondents have most likely applied for more than one job, the results showing that only half of them have perceived discrimination themselves indicates that a large proportion of discrimination goes unnoticed by the victims. This tendency might apply particularly to recruitment discrimination, where preferential treatment is hard to notice as the applicants usually do not have information on the qualifications of other applicants.

8.2 Limitations of the study and generalizability of the findings

Limitations of our study are largely related to situation testing as a method. The validity and reliability of the method are good, but the generalizability and comparability of the results are limited because it is so difficult to acquire representative random samples (Aalto et al., 2010, p. 91, see also Section 6.6).

As discussed in Section 5.2, results obtained from situation tests cannot automatically be generalized to other groups or entire labor markets. Factors that affect the generalizability of results from situation tests include the selection of target groups, occupational categories, cities and period of data collection.

How well do the obtained results represent other ethnic minorities in Finland? We believe one should be very careful not to make simplified generalizations. The need for prudence in this regard does of course not apply only to our study, but concerns all studies producing information on one specific group.

Attitudes towards and stereotypes about different minority groups are not the same. For historical reasons, attitudes towards and stereotypes about Russians in Finland are quite distinct; Russians are an old and well-known minority in Finland with a rather unique “stereotypical profile”. If we had studied a smaller group with a less clear-cut profile, the results might have been possible to generalize to other similar groups. Just to take one example; Finns may have similar stereotypes of Bulgarians and Romanians and it can be assumed that these groups probably face similar amounts of discrimination in the Finnish labor market.

Nonetheless, careful parallels to other groups may be drawn, especially regarding the results from the first stage. The reception received by Russian-named applicants can be argued to apply to any applicants with names and accents that employers would consider to be “Russian”. This includes Estonians of Russian descent as well as some other East European groups. Based on results from earlier studies, we have good reasons to assume that applicants with Arabic- or African-sounding names would face more discrimination than our Russian-named applicants did. In the same vein, applicants with European-sounding names would probably face less discrimination.

Although our sample of vacancies was not random, it is comprehensive in the sense that we included all vacant positions during the data-gathering period that fit our criteria (see Section 6.6). This means that we have good reason to believe that our results to a high degree represent the studied occupational categories at the given time.

Another discussion concerns the generalizability of the results to other occupations. The occupational categories included in our experiment were among the largest in the country listed by the number of open vacancies (see Section 6.6). However, this should not be taken to mean that our results can automatically be generalized to other occupational sectors. Since our sample is not representative of the entire Finnish labor market, it is not possible to say how well the results that we obtained correspond with other occupations than those included in our test (see also Bursell, 2007; Carlsson & Rooth, 2006).

Our experiment covers the main population centers in Finland. Helsinki, Espoo, Vantaa, Tampere and Turku are the five most populous municipalities in the country and have a combined population of nearly 1.5 million (Statistics Finland, 2011f). Together with the smaller city Lappeenranta, which was included due to its proximity to the Russian border, they thus stand for a considerable part of the Finnish labor market. Nevertheless, our results should not be considered as representative of the entire country. Studying areas with more scarce populations would, however, have required more time than was available. This is because collecting a sufficiently large sample would have taken much longer in such areas due to the smaller number of open vacancies.

Furthermore, it should be noted that we only applied for announced vacancies. It has been shown that only about 40% of Finnish companies announce their vacancies via the employment offices (Tuomaala, 2009, p. 9). Had we included open applications, the access to unannounced positions might have been better. However, the situation testing method is poorly suited for applying for such positions.

There is one further point related to the research design which is relevant to bring up in this context. Firstly, the fact that our testers did not attend the interviews means that we were unable to inspect the final outcome of the recruitment process, i.e., the employment decision itself. However, as previous research has shown that only a small part of the discrimination occurring during the entire recruitment process takes place in the third stage (see Section 5.2.1), it is reasonable to assume that we were able to analyze the largest share of discrimination even though we confined our study only to the first two stages.

Lastly, when interpreting the results, it should be taken into account that at the time of data gathering Finland, along with the rest of Europe, was undergoing an economic recession. It is possible that the results had been different had the data

been gathered during a period marked by more economic optimism and better employment prospects.

In sum, due to the reasons discussed in this section, our results should be viewed as a partial analysis of the discrimination occurring in the Finnish labor market. We also remind the reader that the discrimination discussed in this report is based on statistical differences in the treatment of applicants instead of individual discrimination cases handled by monitoring bodies or authorities.

8.3 Future research

In future research, one might consider using only the second stage of the method. Our finding that the discrimination predominantly occurs in the second stage speaks in favor of the option to only send applications. This would save time and resources. On the other hand, only by applying all three stages of the method can the recruitment process be studied from the beginning till the end and thus be completely investigated.

As this situation test was the first of its kind to be carried out in Finland, there are many further sectors of the Finnish labor market which could be explored with the same method. It is important to continue carrying out situation tests in Finland, because the same kind of concrete information on real-life practices is difficult to produce by other methods. It would be valuable to repeat the tests with Russians as the target group in order to see whether any change occurs in the level of discrimination over the years. However, it would also be important to study discrimination against other ethnic minorities, such as the Somalis and the national Roma minority. The method could also be used to study other discrimination grounds, such as disability, religion or conviction, age or sexual orientation (Aalto et al., 2010, p. 88).

Furthermore, one could apply the situation testing method to study, for example, how being unemployed affects the chances to finding a job. When using other research methods to study the success of unemployed job seekers there is a risk of selection bias. This means that differences in success in recruitment situations may be explained by real differences in the skills of unemployed and employed job seekers (e.g., education, interaction style, social competence). In contrast, when using an experimental design such as situation testing possible real differences are controlled for and all difference in treatment can be ascribed to discrimination by the employers.

One of the limitations of situation testing is that it is difficult to study several discrimination grounds at the same time, as one cannot send very many applications to the same employer due to the risk of raising suspicion. As we wanted to include gender in addition to ethnicity in our study, we solved the problem by deciding that

men and women apply for different jobs.⁵⁷ Thus, the focus shifts from the comparison of the treatment of two applicants for the same job to the overall success rate of applicants belonging to different groups. In this way, it is possible to study more groups simultaneously than when following the ILO guidelines. This means that we compare call-back rates and not NDRs as suggested by the ILO. However, the downside is that comparison to other studies is more difficult.

Using such an approach, Oreopoulos (2009) has studied how having a foreign vs. Canadian name, education and work experience affects applicants' chances to get invited to an interview in Canada. This is one example of how the situation testing method can be used in other less "traditional" constellations than the one we have used. Other examples include Petit (2003), who has studied how the prospect of parenthood interacts with gender concerning the chance to get an interview in France, while Correll et al. (2007) did the same with parenthood and gender in the USA. In Austria, Weichselbaumer (2004) used the situation testing method in order to study the impact of gender stereotypes on employment chances, for example whether a "masculine" woman was preferred to a "feminine" woman when applying for a job in a male-dominated sector. Such approaches would be interesting to use also in Finland.

It would also be interesting to study how the behavior of employers matches what they say. For example, in a study by Pager and Quillian (2005) employers responded that they would be equally willing to recruit black and white applicants, but in a situation test after the survey there was a discrepancy of 35 percentage points in the treatment of black and white applicants. Furthermore, Rooth (2010) in Sweden asked employers who had been included in an earlier situation test to partake in an implicit association test and to respond to a questionnaire on explicit racial attitudes and hiring preferences. He found that implicit (automatic, subconscious) negative attitudes were associated with a reduced probability of inviting a minority applicant for an interview, while the explicitly stated attitudes did not predict discriminatory behavior. Such research could raise the awareness among employers about their own behavior and thus contribute to creating a fairer labor market.

57 This in contrast to Russians and Finns, who applied for the same jobs.

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Appendices

Appendix A: Additional result tables from the re-analysis of the Quality of Work Life Survey data (2008)

Appendix B: Additional tables from the Special Eurobarometer 2009

Appendix C: Contacted stakeholders

Appendix D: A pair of fictitious CVs used in the field experiment

Appendix A

Table A1. Percentage of people who in their own organization have observed discrimination or unequal treatment related to salary, recruitment, career advancement or training based on following grounds. Re-analyzed data from the Quality of Work Life Survey 2008 (Question C20); except for the figures for the whole sample from Lehto & Sutela (2008).

	Whole sample, 2008 % (2003) [1997]		Young age (16-24), % [25-64, %]		Old age (55-64), % [16-54, %]		Foreign origin, % [native, %]		Employee repr., % [non repr., %]		Chronic disease / disability, % [healthy, %]	
	All	F	M	F	M	F	M	F	M	F	M	
Young age	10 (8)[9]	10 (8)[8]	10 (9)[11]	19***[9]	14 [10]	7* [11]	8 [11]	7 [10]	11 [10]	11 [9]	12 [12]	
Old age	9 (8)[10]	11 (10)[11]	8 (6)[10]	7* [11]	3* [8]	15**[10]	7 [8]	5 [11]	17*** [10]	14*** [9]	10* [7]	
Gender, especially women	7 (6)[9]	9 (9)[12]	4 (3)[6]	8 [10]	1* [5]	8 [11]	5 [4]	14 [10]	16*** [9]	11 [10]	7** [4]	
Gender, especially men	2 (2)[3]	1 (2)[3]	3 (2)[3]	2 [1]	2 [3]	1 [2]	2 [3]	2 [2]	2 [1]	2 [1]	4 [2]	
Political opinions or being active in a trade union	4 (4)[-]	4 (3)[-]	4 (4)[-]	3 [4]	3 [4]	5 [4]	4 [4]	3 [4]	6 [4]	5 [4]	6** [3]	
Family ties or pregnancy	5 (5)[7]	7 (7)[10]	2 (3)[3]	10 [7]	1 [3]	3*** [8]	2 [3]	7 [7]	8 [7]	3 [2]	3 [2]	
Nationality or skin color	4 (3)[-]	5 (4)[-]	3 (3)[-]	5 [4]	3 [5]	3 [5]	4 [5]	9 [5]	4 [4]	3 [5]	7* [4]	
Language skills in Finnish (Swedish)	6 (-)[-]	6 (-)[-]	5 (-)[-]	9 [7]	4 [6]	6 [7]	6 [6]	21*** [7]	8 [7]	10** [5]	8* [5]	
Disability or handicap	3 (3)[4]	3 (2)[4]	3 (3)[4]	3 [6]	2 [4]	6 [6]	4 [4]	0 [6]	11***[5]	6 [3]	5 [3]	
Sexual orientation, for example being lesbian or homosexual	2 (2)[-]	2 (3)[-]	3 (2)[-]	2 [2]	3 [3]	1 [2]	1**[3]	2 [2]	1 [2]	3 [3]	4 [3]	
N	4392	2381	2011	193	165	456	368	57	297	293	640	

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets].

Table A2. Percentage of people who have **perceived** discrimination or unequal treatment in their current organization related to following **situations** during last five years. Re-analyzed data from the Quality of Work Life Survey 2008 (Question C21), except for 1997 and 2003 figures, as well as 'All' column, from Lehto & Sutela (2008).

	Whole sample, 2008, % (2003) [1997]		Young age (16-24), % (n) [25-64, %]		Old age (55-64), % (n) [16-54, %]		Foreign origin, % (n) [native, %]		Employee repr., % (n) [non rep., %]		Chronic disease / disability, % (n) [healthy, %]		
	All	F	M	F	M	F	M	F	M	F	M		
	Recruitment	6 [7, -]	7 ^{aaa} (8)[-]	5 ^{aaa} (6)[-]	5 [7]	1 [4]	7 [7]	2 [4]	5 [7]	5 [4]	7 [7]	4 [4]	8 [6]
Salary	13 (13)[12]	14 ^{bb} (15)[12]	11 ^{bb} (11)[12]	9* [15]	9 [11]	15 [14]	9 [11]	7 [14]	7 [11]	19* [13]	11 [11]	16 [13]	14** [9]
Appreciation	15 (14)[-]	19 ^{ccc} (17)[-]	11 ^{ccc} (11)[-]	21 [19]	9 [11]	18 [20]	9 [11]	12 [19]	16 [10]	24* [18]	10 [11]	23 ^{***} [17]	13* [10]
Career advancement	8 (8)[6]	9 ^{ddd} (9)[7]	7 ^{ddd} (6)[5]	6 [10]	5 [7]	6** [10]	5 [7]	10 [9]	5 [7]	13* [9]	7 [7]	11 [9]	9** [5]
Receiving work assignments or shifts	10 (10)[-]	13 ^{eee} (13)[-]	7 ^{eee} (7)[-]	18* [12]	8 [7]	8*** [14]	4* [8]	9 [7]	10 [13]	13 [13]	5 [8]	13 [13]	8 [7]
Receiving training	9 (8)[6]	11 ^{fff} (10)[7]	6 ^{fff} (6)[5]	10 [11]	5 [6]	10 [11]	4 [6]	7 [11]	9 [6]	11 [11]	5 [6]	13** [10]	7 [5]
Receiving information	17 (17)[14]	20 ^{ggg} (20)[16]	14 ^{ggg} (14)[12]	21 [20]	12 [14]	15** [21]	11 [15]	12 [20]	16 [14]	22 [20]	11 [14]	24 ^{***} [18]	17* [13]
Receiving benefits	5 (5)[3]	7 ^{hhh} (6)[3]	4 ^{hhh} (4)[3]	12** [7]	7 [5]	6 [8]	3 [6]	7 [8]	7 [5]	8 [7]	7 [5]	6 [8]	7* [5]
Attitudes of colleagues and supervisors	17 (15)[13]	21 ⁱⁱⁱ (20)[16]	12 ⁱⁱⁱ (10)[10]	23 [21]	10 [12]	20 [21]	11 [12]	22 [21]	17 [12]	23 [21]	11 [12]	27 ^{***} [18]	17 ^{***} [10]
Any of the preceding	38	43 ^{jjj}	31 ^{jjj}	42 [43]	27 [31]	39* [44]	25** [32]	37 [43]	29 [31]	45 [43]	27 [32]	49 ^{***} [41]	36 ^{***} [29]
N	4392	2381	2011	193	165	456	368	59	58	297	292	784	639

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets]. ^{aaa} = $p < .001$; ^{bb} = $p < .01$, etc. when men and women are compared to each other.

Table A3. Percentage of people who have **perceived** discrimination in their current organization based on following grounds. Re-analyzed data from the Quality of Work Life Survey 2008 (Additional question to C20).

	Whole sample, %		Young age (16-24), % [25-64, %]		Old age (55-64), % [16-54, %]		Foreign origin, % [native, %]		Employee repr., % [non repr., %]		Chronic disease / disability, % [healthy, %]	
	All	F	M	F	M	F	M	F	M	F	M	
Young age	2	3^a	2^a	10^{***} [2]	8^{***} [1]	0^{***} [3]	0^{**} [2]	3 [2]	2 [2]	3 [2]	1 [2]	2 [3]
Old age	2	2^{bb}	1^{bb}	0[*] [2]	0 [1]	7^{***} [1]	3^{**} [1]	0 [2]	0 [1]	2 [2]	2 [1]	3^{**} [1]
Gender (men and women)	2	4^{ccc}	0^{ccc}	5 [4]	0 [0]	2[*] [5]	0 [0]	7 [4]	0 [0]	7[*] [4]	0 [0]	5 [4]
Political opinions or being active in trade union	1	1	1	1 [1]	0 [1]	2 [1]	1 [0]	0 [1]	2 [1]	2 [1]	2^{**} [0]	2^{**} [1]
Family ties or pregnancy	1	2^{ff}	0^{ff}	1 [2]	1 [0]	0^{**} [2]	0 [0]	3 [2]	2 [0]	2 [2]	1 [0]	1 [2]
N	4392	2381	2011	193	165	456	368	57	59	297	293	787

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets]. ^{aaa} = $p < .001$; ^{bb} = $p < .01$, etc. when men and women are compared to each other.

Table A4. Percentage of people who are somewhat or very **unsatisfied** in their job regarding following aspects of the work. Re-analyzed data from the Quality of Work Life Survey 2008 (Question A10B).

	Whole sample, %		Young age (16-24), % [25-64, %]	Old age (55-64), % [16-54, %]	Foreign origin, % [native, %]	Employee repr., % [non repr., %]	Chronic disease / disability, % [healthy, %]
	All	M					
Possibilities for professional development	14	15	16 [14]	10 ^{***} [15]	13 [15]	13 [15]	14 [16]
Appreciation of my skills	10	12 ^{aaa}	11 [10]	7 ^{**} [10]	5 [10]	8 [10]	9 [*] [11]
Possibilities to influence at work	15	16 ^b	18 [15]	14 [15]	14 [15]	10 ^{***} [16]	14 [*] [17]
Social relations at work	8	9 ^{cc}	8 [8]	7 [8]	8 [8]	7 [8]	7 ^{**} [9]
Work duties	7	7	9 [7]	5 ^{**} [8]	8 [7]	6 [7]	7 [7]
Average	10,8	11,8	12,4	8,6	9,6	8,8	10,2
N	4392	2381	358	815	118	590	1425

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example 16-24 years old women to 25-64 years old women.

Table A5. Percentage of people who think that **gender equality** has materialized badly or that the closest supervisor does not treat men and women equally. Re-analyzed data from the Quality of Work Life Survey 2008 (Questions C9 and C150).

	Whole sample, %		Young age (16-24), % [25-64, %]		Old age (55-64), % [16-54, %]		Foreign origin, % [native, %]		Employee repr., % [non rep., %]		Chronic disease / disability, % [healthy, %]	
	F	M	F	M	F	M	F	M	F	M	F	M
Equality at work	10***	5***	10 [10]	4 [5]	15** [9]	5 [5]	11 [10]	6 [5]	12 [10]	4 [5]	9 [11]	6 [6]
Supervisors behavior	9***	4***	6 [9]	1* [4]	8 [9]	4 [4]	10 [9]	11* [4]	14 [8]	4 [4]	8 [10]	5 [3]
N	2381	2011	358	815	118	590	1425	2010	2381	358	815	118

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group, for example employee representative women to other women. ^{aaa} = $p < .001$; ^{bb} = $p < .01$, etc. when men and women are compared to each other.

Table A6. "In my work place, employees of foreign origin are treated equally." Re-analyzed data from the Quality of Work Life Survey 2008 (Question C19K).

	Whole sample, %	M, %	F, %
Totally agree	41	39	43
Somewhat agree	38	38	38
Not agree nor disagree	12	14	11
Somewhat disagree	7	7	6
Totally disagree	2	2	2
%	100	100	100
N	2689	1264	1425

F=female; M=male. $p > .05$.

Table A7. Proportion of those working under **fixed-term contracts** because nothing else is available (out of those who reported working under fixed-term contracts). Re-analyzed data from the Quality of Work Life Survey 2008 (Question A19B).

	Whole sample, %			Young age (16-24), % [25-64, %]	Old age (55-64), % [16-54, %]	Foreign origin, % [native, %]	Employee repr., % [non rep., %]	Chronic disease / disability, % [healthy, %]
	All	F	M					
Working under fixed-term contracts because nothing else is available (as opposed to by choice or 'other reason')	6	8 ^{aaa}	3 ^{aaa}	12 ^{***} [5]	3 ^{***} [6]	4 [6]	3 ^{**} [6]	5 [6]
N	4392	2381	2011	358	815	118	590	1427

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets].
^{aaa} = $p < .001$; ^{bb} = $p < .01$, etc. when men and women are compared to each other.

Table A8. Wage. Re-analyzed data from the Quality of Work Life Survey 2008 (Questions A38 and B9A).

"Do you think the wage you receive is fair compared to wages paid in other professions?" My wage is...	Whole sample, %			Young age (16-24), % [25-64, %]	Old age (55-64), % [16-54, %]	Foreign origin, % [native, %]	Employee repr., % [non rep., %]	Chronic disease / disability, % [healthy, %]
	All	F	M					
Clearly or somewhat higher than it should be	4	3	6	3 ^{***} [5]	3 ^{**} [5]	6 [4]	5 [4]	4 ^{***} [5]
Fair	40	34	48	52 ^{***} [40]	38 ^{**} [41]	43 [40]	39 [41]	42 ^{***} [37]
Somewhat lower than it should be	37	39	34	34 ^{***} [37]	35 ^{**} [37]	35 [37]	37 [36]	37 ^{***} [36]
Clearly lower than it should be	19	24	12	12 ^{***} [19]	23 ^{**} [18]	16 [19]	19 [19]	17 ^{***} [23]
Working overtime without compensation at least once per month, %	23	23	23	10 ^{***} [24]	24 [22]	25 [23]	29 ^{***} [22]	21 ^{**} [25]
N	4363	2396	1994	356	806	118	589	1425

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets].

Table A9. Percentage of those who perceived harassment or violence 'at least once per week' or 'a couple of times per month' (as opposed to 'more rarely' or 'never'). Re-analyzed data from the Quality of Work Life Survey 2008 (Question B33).

	Whole sample, %		Young age (16-24), % [25-64, %]		Old age (55-64), % [16-54, %]		Foreign origin, % [native, %]		Employee repr., % [non repr., %]		Chronic disease/ disability, % [healthy, %]		
	All	F	M	F	M	F	M	F	M	F	M		
Have you been subjected to violence or a threat of violence at your work place, e.g. by customers or colleagues?	3	3 ^{bbb}	2 ^{bbb}	6 [3]	4* [2]	2 [4]	1 [2]	3 [3]	3 [2]	4 [3]	1 [2]	5** [3]	2 [2]
Have you been subjected to harassment or other forms of inappropriate treatment at your work place, e.g. by customers or colleagues?	5	7 ^{ccc}	3 ^{ccc}	13 ^{***} [6]	7 ^{***} [2]	3 ^{***} [7]	1* [3]	13* [6]	3 [3]	6 [7]	2 [3]	8* [6]	2 [3]
Have you in your work faced situations which evoke negative feelings such as anger?	21	25 ^{ddd}	16 ^{ddd}	34** [24]	21* [15]	15 ^{***} [27]	7 ^{***} [18]	25 [24]	21 [16]	30* [24]	17 [15]	25 [25]	17 [15]
Are you acknowledged for your work by other members of the work community or by customers?	69	75 ^{aaa}	61 ^{aaa}	84** [74]	73** [60]	76* [71]	63 ^{***} [52]	68 [75]	62 [61]	72 [75]	67* [60]	74 [75]	61 [61]
N	4392	2381	2011	193	165	456	359	60	58	297	293	787	640

F=female; M=male. * = $p < .05$; ** = $p < .01$; *** = $p < .001$ when compared to the opposite group in [square brackets]. ^{aaa} = $p < .01$; ^{bbb} = $p < .01$, etc. when men and women are compared to each other.

Appendix B

Table B1. When a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage? (Eurobarometer, 2009)

	Age	Way of speaking/ accent (%)	Skin color/ ethnic origin (%)	Sexual orienta- tion (%)	Disability (%)	Religion (%)
EU 27	48	30	38	18	37	22
FI	52	24	52	30	54	27
SE	61	77	67	35	66	55
DK	65	62	63	34	61	68
BE	45	29	58	16	47	36
BG	69	20	30	12	40	13
CZ	61	26	48	12	49	8
DE	57	33	40	14	40	36
EE	56	26	23	14	51	14
IE	33	36	33	12	52	16
EL	52	33	46	25	43	21
ES	43	17	31	13	28	11
FR	55	47	64	23	50	36
IT	30	25	30	18	21	7
CY	64	54	33	37	55	13
LV	51	17	13	14	46	6
LT	57	19	9	15	46	7
LU	61	42	43	25	52	33
HU	64	18	65	16	43	7
MT	42	31	43	31	35	17
NL	53	47	53	27	52	53
AT	59	43	55	25	42	49
PL	52	16	25	25	40	10
PT	48	13	30	17	34	7
RO	44	31	17	19	34	4
SI	59	22	21	22	56	24
SK	69	21	41	15	36	5
UK	34	25	22	11	28	16

Appendix C

Information was requested from the following stakeholders on research related to labor discrimination:

The National Council on Disability VANE (Valtakunnallinen vammaisneuvosto)
LGBTI Rights in Finland (SETA)
The Finnish League for Human Rights (Ihmisoikeusliitto)
The UN Association of Finland (YK-liitto)
Amnesty International Finland
Eric Castrén Institute for International Law
Åbo Akademi Human Rights Institute
The Handicap Forum (Vammaisfoorumi)
The Advisory Board on Romani Affairs (RONK)
Advisory Board for Ethnic Relations (ETNO)
The Coalition of Finnish Women's Associations (Nytkis ry)
National Research Institute on Legal Policy (OPTULA)
The Minority Ombudsman
The Equality Ombudsman
The Finnish Sámi Parliament
The Work Research Center at the University of Tampere
Central Organisation of Finnish Trade Unions (SAK)
Trade Union Pro

Appendix D

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KOULUTUS

2007 Vesieristyssertifikaatti

2005 Tularityökortti

2005, 2009 Työturvallisuuskortti

2002–2005 Koulutuskeskus Salpaus, Lahti:
Rakennusalan perustutkinto: Talonrakennus

TYÖKOKEMUS

[Yrityksen nimi poistettu], Helsinki, 2010–jatkuu

Mittakirvesmies/kirvesmies: Toimin vuokratyöntekijänä eri työmailla kirvesmiehen tehtävissä. Alla mainittujen tehtävien lisäksi myös elementtiasennus ja valutyöt.

[Yrityksen nimi poistettu], Lahti, 2007–2010

Kirvesmiehen apulainen ja kirvesmies/laatoittaja: OKT-kohteet perustustöistä vesikattoon, mm. lattioiden, sisäkattojen ja -seinien, sekä ikkunoiden asennukset. Vesieristys ja laatoitus.

[Yrityksen nimi poistettu], Lahti, 2006 (kesätyö)

Rakennusapumies: Rappaus, tasoitetyöt ja maalaus. Myös muut rakennusapumiehen tehtävät.

[Yrityksen nimi poistettu], Lahti, 2003–2005 (osa-aikatyö, kesätyö)

Rakennusapumies/maalari: Vanhojen rakenteiden purkaminen, piikkaus, julkisivu- ja sisämaalaus, telineiden asennus.

KIELITAITO

suomi (erinomainen), venäjä (äidinkieli), englanti (hyvä), ruotsi (alkeet)

HARRASTUKSET

Kuntosali ja musiikki

AJOKORTTI

B-luokka

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TYÖKOKEMUS

[Yrityksen nimi poistettu] / Helsinki / 2010 – jatkuu
Kirvesmies

Asennustyöt. Mittaustyöt. Vuokratyöntekijänä OKT-, rivitalo- ja kerrostalokohteissa.

[Yrityksen nimi poistettu] / Hämeenlinna / 2008–2010
Kirvesmies/laatoittaja

Asennustyöt (runko, väliseinät, sisäkatot, ikkunat, ovet, jne.). Keittiöiden, kylpyhuoneiden ym. laatoitustyöt. Myös elementtivalut.

[Yrityksen nimi poistettu] / Hämeenlinna / 2006-2008
Kirvesmiehen apulainen ja kirvesmies.

Rivitalokohteen runkotyöt ja vesikaton asennustyöt.

[Yrityksen nimi poistettu] / Hämeenlinna/ 2004–2006
Apumies ja maalari

Purkutyöt ja siivous. Sisätilojen ja julkisivujen maalaus ja muurarin apumiehen työt, rappaus ja tasoitetyöt.

KOULUTUS

Työturvallisuuskortti, Tulityökortti, Vedeneristyssertifikaatti
Talonrakentaja/Rakennusalan perustutkinto (2002–2005, Koulutuskeskus Tavastia, Hämeenlinna)

MUUTA

KIELET: suomi – äidinkieli, englanti – hyvä, ruotsi – alkeet
AJOKORTTI: B
HARRASTUKSET: Salibandy ja muu urheilu.

Tekijät Författare Authors Liisa Larja, Johanna Warius, Liselott Sundbäck Karmela Liebkind, Irja Kandolin, Inga Jasinskaja-Lahti	Julkaisu-aika Publiceringstid Date Toukokuu 2012 Toimeksiantaja(t) Uppdragsgivare Commissioned by Työ- ja elinkeinoministeriö Arbets- och näringsministeriet Ministry of Employment and the Economy Toimielimen asettamispäivä Organets tillsättningsdatum Date of appointment	
Julkaisun nimi Titel Title Syrjintä suomalaisilla työmarkkinoilla – yleiskatsaus ja kenttäkoe rekrytointisyrjinnästä		
Tiivistelmä Referat Abstract Tämä raportti koostuu kahdesta osasta: I) Yleiskatsauksesta jo olemassa olevaan tutkimustietoon syrjinnästä Suomen työmarkkinoilla sekä eri tutkimusmenetelmien ja tiedon lähteiden arvioon perustuvasta ehdotuksesta työsyöjinnän seurantarjestelmän kehittämiseksi, ja II) Suomen ensimmäisen rekrytointisyrjintää tutkivan empiirisen kenttäkokeen (ns. "tilanetestin") tuloksista ja kuvauksesta. Kirjallisuuskatsaus esittelee aiemmat tutkimustulokset sekä viralliset valitustiedot työsyöjinnästä yhdenvertaisuuslain määrittelemien syrjintäperusteiden osalta: ikä, etninen tai kansallinen alkuperä, kansalaisuus, kieli, uskonto, vakaumus, mielipide, terveydentila, vammaisuus, seksuaalinen suuntautuminen tai muu henkilöön liittyvä syy. Sukupuolta käsitellään läpileikkaavana teemana. Raakadataa kattavasta valtakunnallisesta kyselytutkimuksesta (Työolotutkimus) on myös uudelleenanalysoitu erottelemalla nuorten, vanhojen, ulkomaalaistaustaisten, kroonisesti sairaiden tai vammaisten, sekä työsuojelutehtävissä tai muissa luottamustehtävissä toimivien työntekijöiden vastaukset. Olemassa olevan tutkimustiedon perusteella näyttää siltä, että melkein kymmenen prosenttia työntekijöistä Suomessa on havainnut työpaikkaan syrjintää iän perusteella. Työntekijät ovat havainneet melkein yhtä paljon syrjintää etnisiin vähemmistöihin kuuluvia työnhakijoita ja -tekijöitä kohtaan, mikä suhteutettuna tämän ryhmän pieneen kokoon voidaan tulkita kertovan maahanmuuttajien erityisestä alttiudesta joutua syrjinnän uhreiksi. Kysyttäessä omista syrjintäkokemuksista, naisista noin 40% ja miehistä noin 30% oli itse kokenut syrjintää nykyisessä työssään. Työolotutkimuksen datasta erotelluista ryhmistä kroonisesti sairaita tai vammaiset naiset olivat kokeneet eniten syrjintää ja vanhat miehet vähiten. Aluehallintovirastojen työsuojelun vastuualueille tehdyissä valituksissa terveydentila oli selkeästi yleisin valitusperuste. Lisäksi keskustellaan erilaisten tutkimusmenetelmien soveltuvuudesta syrjinnän määrän arvioimiseen sekä ehdotetaan parannuksia työsyöjinnän seurantaan. Pitkittäisseurannan mahdollistamiseksi suositellaan tiedonkeruun yhdenmukaistamista ja järjestelmällistämistä. Erilaisia virallisia rekistereitä voitaisiin myös hyödyntää paremmin. Koordinoivan tahon perustaminen helpottaisi näitä tehtäviä. Raportin toinen osa esittelee ensimmäisen Suomessa toteutetun kenttäkokeen, jossa käytetään tilanetestasmenetelmää. Tutkittiin syrjintää etnisen alkuperän ja sukupuolen perusteella rekrytoinnissa keskitason ammattitaitoa vaativiin toimisto-, ravintola-, kuljetus- ja rakennustöihin. Testihakijat, jotka olivat nais- ja miespuolisia ja joilla oli venäjän- ja suomenkieliset nimet, hakivat yhteensä 1200 avointa työpaikkaa vuoden 2011 lopulla. Tulokset osoittavat, että hakijoiden, joilla on venäjänkielinen nimi pitää lähettää kaksi kertaa enemmän hakemuksia verrattuna hakijoihin, joilla on suomenkielinen nimi, jotta he saisivat kutsun työhaastatteluun. Vaikka etnistä syrjintää havaittiin kaikissa tutkituissa kaupungeissa ja kaikilla ammattialoilla, eroja kaupunkien ja alojen välillä ei havaittu. Suomalaisen työnhakijoiden keskuudessa havaittiin, että miespuolisia hakijoita syrjittiin naisvaltaisissa toimistotöissä. Myös tiettyjä merkkejä venäläisiin miehiin kohdistuvasta moniperusteisesta syrjinnästä havaittiin haettaessa tarjoilijan, rakennus- ja kuljetustöitä. Vertailtaessa etnistä ja sukupuolisyrjintää havaittiin kolme kertaa enemmän etnisyyteen perustuvaa syrjintää. Työ- ja elinkeinoministeriön yhteyshenkilöt: Työelämä- ja markkinaosasto/Seija Jalkanen, p. 010 60 48952 sekä Työllisyys- ja yrittäjyysosasto/Liisa Männistö, p. 010 60 47000		
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Julkaisun nimi Titel Title Diskriminering på den finländska arbetsmarknaden – en översikt och ett fältexperiment om rekryteringsdiskriminering		
Tiivistelmä Referat Abstract Rapporten består av två delar: I) en översikt över existerande information om diskriminering på den finländska arbetsmarknaden samt ett förslag till en uppföljningsmodell, II) en presentation av det första finländska situationstestet gällande diskriminering vid rekrytering. Litteraturoversikten sammanfattar de mest centrala forskningsresultaten samt information om officiella klagomål om diskriminering på de grunder som nämns i lagen om likabehandling: ålder, etniskt eller nationellt ursprung, nationalitet, språk, religion, övertygelse, åsikt, hälsotillstånd, funktionshinder, sexuell läggning eller av någon annan orsak som gäller hans eller hennes person. Kön behandlas som ett genomgående tema. Rådata från en storskalig nationell undersökning (Undersökningen om arbetsförhållanden) återanalyserades genom att urskilja svaren som getts av unga och gamla arbetstagare, arbetstagare med utländskt ursprung, kroniskt sjuka eller funktionshindrade samt arbetstagare med uppdrag inom arbetarskyddet eller andra förtroendeuppdrag. Utgående ifrån existerande forskningsresultat verkar det som att nästan tio procent av arbetstagarna i Finland har observerat diskriminering på basen av ålder på sin arbetsplats. Arbetstagarna har observerat nästan lika mycket diskriminering gentemot arbetstagare och -sökande som hör till etniska minoriteter. Då detta läggs i proportion till etniska minoriteters ringa storlek i Finland verkar det uppenbart att dessa är speciellt utsatta för arbetsdiskriminering. Då det gäller egna erfarenheter av diskriminering rapporterar ca 40% av kvinnorna och 30% av männen att de personligen upplevt diskriminering i sitt nuvarande jobb. Bland de grupper som inkluderades i återanalysen av data från Undersökningen om arbetsförhållanden upplever kroniskt sjuka eller funktionshindrade kvinnor sig oftast ha blivit diskriminerade medan gamla män rapporterar minst diskrimineringsupplevelser. Gällande klagomål till Regionförvaltningsverkets ansvarsområden för arbetarskyddet var hälsotillstånd den klart mest allmänna besvärsgrunder. Dessutom diskuteras lämpligheten av olika forskningsmetoder för att estimerar mängden diskriminering och förbättringar gällande uppföljningen av arbetsdiskriminering föreslås. Rekommendationerna inkluderar förenhetligande och systematisering av insamlingen av information om arbetsdiskriminering för att möjliggöra longitudinell uppföljning. Olika officiella register kunde dessutom utnyttjas bättre. Grundandet av ett koordinerande organ skulle underlätta dessa uppgifter. I rapportens andra del presenteras det första fältexperimentet som använder sig av situationstest som förverkligats i Finland. Diskriminering på grund av etnicitet och kön vid rekrytering till medelkvalificerade kontors-, restaurang-, förar- samt byggnadsjobb studerades. Metoden baserar sig på jämförelsen av framgången hos fiktiva arbetssökande med jämbördig utbildning och arbetserfarenhet. De kvinnliga och manliga sökandena med ryska och finska namn ansökte om sammanlagt 1200 lediga jobb i slutet av året 2011. Resultaten visar att sökandena med ryska namn var tvungna att skicka dubbelt så många ansökningar som de med finska namn för att bli inbjudna till arbetsintervju. Etnisk diskriminering upptäcktes i alla städer och branscher som inkluderades i studien, men ingen skillnad identifierades mellan städerna och branscherna. Bland de finländska arbetssökandena upptäcktes att manliga sökanden diskriminerades i rekryteringen till kvinnodominerade kontorsjobb. Det fanns också tecken som tyder på multipel diskriminering mot ryska män i rekryteringen till servitör-, byggnads- och förarjobben. Vid en jämförelse av etnisk och könsbaserad diskriminering identifierades tre gånger mer etnisk diskriminering. Kontaktpersoner vid arbets- och näringsministeriet: Avdelningen för arbetslivs- och marknadsfrågor/Seija Jalkanen, tfn 010 60 48952, och Avdelningen för sysselsättning och företagande/Liisa Männistö, tfn 010 60 47000		
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Discrimination in the Finnish Labor Market – An Overview and a Field Experiment on Recruitment

This report provides an extensive account of labor discrimination in Finland, including the results of the first Finnish situation test on recruitment discrimination.

The first part of the report outlines the extent to which discrimination has been identified in Finnish working life by reviewing existing materials such as previous research results and formal complaints data. In this part, methods that are used for assessing the level of discrimination are discussed and amendments are proposed to the current monitoring system on labor discrimination.

The second part of the report presents the findings from the first Finnish field experiment on recruitment discrimination using the situation testing method. The study focused on discrimination against applicants with Russian origin in recruitment for semi-skilled office, restaurant, driver and construction jobs. The study also assessed gender discrimination as well as multiple discrimination on the grounds of ethnicity and gender.

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