

Guidelines for employment after the right to remain in employment ceases

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**Karolinska
Institutet**



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Amendment to the provision regarding the right to approve expenses without managerial authority, as well as the handling of intermittent work on an hourly basis

A free translation has been done of the original document.

Introduction

Under the Employment Protection Act (1982:80) (LAS), as of January 1, 2023, an employee has the right to remain employed until the employee reaches the age of 69 (hereinafter referred to as the LAS age). When an employee reaches the LAS age, a significant change occurs in employment protection, which primarily means that the employer may terminate an employee without requiring objective grounds. The parties to the employment contract thus gain a mutual right to terminate the contract.

In the first instance, a person who has reached the LAS age and is to continue participating in Karolinska Institutet's (KI) activities shall be affiliated. If necessary, employment may also take place after reaching the LAS age in accordance with these guidelines.

Purpose

These guidelines contain provisions regarding the employment of individuals who have reached the age at which the right to remain in employment ceases under the Employment Protection Act.

These guidelines aim to ensure that employment even after the right to remain in employment ceases is handled equally within KI and is based on the needs of the organization and its financial circumstances.

In certain contexts, KI has a need to retain employees who have reached the LAS age. This applies to individuals with significant experience, a valuable network of contacts, and specialized expertise where termination would entail a significant loss for the organization. This must be carefully weighed against the organization's need for knowledge transfer, reorientation, and renewal, as well as against KI's need for other employees to develop in their work and careers.

Affiliation after reaching the LAS age

In the first instance, a person who has reached the LAS age and intends to continue to participate in KI's activities should do so through an affiliation with organization, for example as a professor emeritus or emerita, and in that case without being employed. Special rules apply to such affiliations.

Employment after reaching the LAS age

Employment after reaching the LAS age is not a right of the individual, and any potential re-employment must always be carefully evaluated on objective and factual grounds based on the needs of the organization. The evaluation must demonstrate that it is beneficial for the organization to employ a person who has reached the LAS age. The need and the benefit that employment can bring to KI in the short and long term shall be decisive for the assessment.

The need may be justified by specific expertise to bridge a gap in new recruitment for a certain period, for ongoing and externally funded research projects, or to represent KI in special contexts.

Competency planning as an employee approaches the LAS age

Long-term planning of competency provision as employees approach the LAS age is of great importance for a successful generational transition. Regular operational planning should include planning for the department's/unit's long-term skills supply, which encompasses operational goals, an analysis of the challenges the department faces, and strategies for achieving those goals. Such an analysis may, for example, lead to the need to change the direction of the operations and take measures to attract individuals with different skill profiles. Hiring an individual who has reached the LAS age is always a temporary and short-term solution.

Well in advance of an employee reaching the LAS age, the responsible manager shall engage in a dialogue with the employee regarding how the operations shall be adapted to current conditions. This dialogue shall result in a documented plan for how the transfer of responsibilities and/or the phasing out of current assignments shall take place until the LAS age is reached or, where applicable, a plan for continued assignments.

Implementation

1. When an employee reaches the age specified in the Employment Protection Act, the employment shall be terminated in accordance with the provisions of the Employment Protection Act.
2. If the parties agree to continue the employment, paragraphs 1–4 below shall apply. No announcement of the employment is required.

3. No later than three months before the employment ends, the responsible manager shall assess whether there is a need for continued employment.

Requirements

The following applies to all employment contracts entered into with individuals who have reached the LAS age:

1. An employment contract entered after reaching the LAS age shall be fixed-term for no more than one year at a time. The employment is based on Section 5 of the Employment protection Act.
2. The employment rate shall not exceed 50 percent of full-time.
3. The individual should not be a manager
4. The terms of employment shall be set forth in a new employment contract.
5. Decisions regarding employment are made by the head of the department after consultation with the dean for the first three years following reaching the LAS age. Thereafter, the dean makes the decision based on a proposal from the head of the department.

Intermittent contract (hourly-paid employees)

Short-term employment may be arranged through so-called intermittent employment when there is a temporary need for teaching staff at the department or as an exam proctor, provided that points 1–5 above are met. The employee must, when employed in teaching, possess unique expertise for the duties that is not available in regular operations and where the scope cannot be planned in advance.

Continued Employment for Formerly Employed Teachers

In addition to the provisions of paragraphs 1–4 of the “Requirements” section, the following applies to formerly employed teachers under the employment regulations for teachers.

If the department, instead of relying on affiliation, considers that there are special reasons for hiring a teacher after reaching the LAS age, such a decision must be justified and documented. The following conditions for such employment apply:

- a. the position must be funded by the employee's own, current, and ongoing external grants for salary and operations¹, and the employee may not receive state research funding via the resource allocation.
- b. the employee must be hired immediately following the previous employment at KI.
- c. be able to serve as Principal Investigator and have approval authority for external grants at the research group's disposal.
- d. there must be a plan for knowledge transfer, including mentorship, and
- e. a person employed as a professor may only be appointed as a senior professor after reaching the LAS age.

Assignments as primary supervisors for doctoral students shall not be given to teacher staff who have reached the age of retirement under the Employment Protection Act. A prerequisite for such an assignment is that it can be completed before the supervisor's employment ends.

Transitional Provisions

Decisions regarding employment and exceptions concerning scope and management made no later than December 31, 2024, pursuant to the Regulations for Employment after the Right to Remain in Employment Ceases (Ref. No. 1 869/2019) shall remain in effect even after these guidelines take effect. If continued employment is necessary, the employment arrangement shall be adjusted in accordance with these guidelines.

For the period January 1–June 30, 2025, the department chair may, after consultation with the dean, decide on exceptions regarding scope and management in accordance with these guidelines if the need arises. Such an exception may only apply to the period January 1–June 30, 2025.

¹ Payroll costs must not exceed the amount specified in the external grant.