The Role of the Equality Bodies

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Why have equality bodies been established?

• Anti-Racism Directive 2000/43/EC
• Services Directive 2004/113/EC
• Recast Directive 2006/54/EC

-> Establishment of bodies for the promotion of equal treatment
Functions of Equality Bodies

- To give independent support if there are complaints about discrimination
- To carry out independent investigations on the topic of discrimination
- To prepare independent reports and recommendations
Criteria for Equality Bodies

• UN Paris Principles
  Fundamental principles for national human rights institutions

• Recommendation No. 2 of the European Commission against Racism and Intolerance (ECRI)
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<th>Ombud for Equal Treatment between Women and Men in Employment and Occupation</th>
<th>Ombud for Equal Treatment in Employment and Occupation irrespective of Ethnic Affiliation, Religion or Belief, Age or Sexual Orientation</th>
<th>Ombud for Equal Treatment irrespective of Ethnic Affiliation and Gender in other Areas and for Equal Treatment between Women and Men in the Access to Goods and Services</th>
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<td>Central office in Vienna, 4 regional offices</td>
<td>Central office in Vienna, no regional offices</td>
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Gym excludes black people

- One-year contract in gym
- Freeze on admission
- Information given by phone: Registration is possible any time
- Freeze on admissions for men only
- No contracts for black people at the request of the gym’s other customers
What can be done?

• Advice and support provided by the Ombud for Equal Treatment
• Gym operators requested to comment
• Talks
• Out-of-court settlement, one-year subscriptions
Employer discriminates against women

- Woman employed as marketing manager since 2002
- Men in comparable positions earn more
- Pregnancy, 10 months pregnancy leave, part-time 25 hours per week
- No part-time job in management
- No equivalent job
What can be done?

- Advice and support by the Ombud for Equal Treatment
- Intervention
- Commission for Equal Treatment: Discrimination in respect of pay and other working conditions
- Action brought by Austrian professional association of workers and employees
No job with head scarf

- Muslim woman who wears head scarf
- Applies for job in laundry
- Condition: no head scarf during work
- Wants to wear head scarf
- No job
What can be done?

• NGO, advice and support by Ombud for Equal Treatment

• Negotiations – safety risk

• Commission for Equal Treatment: no discrimination

• Ombud for Equal Treatment: action for declaratory judgment

• Settlement – specific form of head scarf
Equinet –
European Network of Equality Bodies

- Established in 2002
- International association
- 32 partner organisations
- Permanent office in Brussels
- EU funds and contributions by members
What does Equinet do?

- Support by equality bodies
- Exchange of information
- Training courses and seminars
- Publications, opinions
- Studies
- Dialogue with European institutions
Equinet – Working Groups

- Dynamic interpretation of anti-discrimination legislation
- Strategic enforcement
- Policy formation
- Promotion of equality
Conclusions

• Making discrimination visible

• Support given to people who have been discriminated against

• Expertise on issues related to equal treatment
Contact

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