

EN



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 19.6.2008  
SEC(2008) 524

**COMMISSION STAFF WORKING DOCUMENT**

*Accompanying document to the*

**COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN  
PARLIAMENT AND COUNCIL**

**The application of Directive 2000/78/EC of 27 November 2000 establishing a general  
framework for equal treatment in employment and occupation**

**{COM(2008)225 final}**

**TABLE ON TRANSPOSITION OF DIRECTIVE 2000/78/EC IN MEMBER STATES<sup>1</sup>**

	<b>Sexual orientation</b>	<b>Religion</b> (including article 4(2) exception)	<b>Age</b> (including article 6 exception)	<b>Disability</b> (including reasonable accommodation)	<b>Positive action</b>	<b>Role of Equality Bodies</b>	<b>Protection of victims</b> (Shifting burden of proof; victimisation)
<b>BE</b>	Law of 10 May 2007 combating certain forms of discrimination  Regional and Communities legislation	Law of 10 May 2007 combating certain forms of discrimination  Regional and Communities legislation.  Provisions in national law include article 4(2) exception	Law of 10 May 2007 combating certain forms of discrimination  Regional and Communities legislation.  Provisions in national law include article 6 exception	Law of 10 May 2007 combating certain forms of discrimination  Executive Decree of 5 November 1998 on the promotion of the equality of chances of persons with disabilities on the employment market  Regional and Communities legislation.  Provisions on reasonable accommodation included in federal law.	Positive action provided for under article 10 of the Law of 10 May 2007	Centre for Equal Opportunities and the Fight against Racism covers all grounds in article 13 EC Treaty  Equality bodies do not exist in all the Regions.	Provisions on shifting burden of proof are included in article 27 of the Law of 10 May 2007  Provisions on victimisation included, but other persons who help a victim are not fully protected

<sup>1</sup> The information provided in this table is based on the information provided by Member States as of 15 December 2007. References to the situation in Member States are purely factual and are not meant to express a definitive analysis of the European Commission on the compatibility of the legislation with the Directive. As the legal analysis of the legislation in Bulgaria and Romania is ongoing, the present table does not take into account the situation in these two countries.

<b>CZ</b>	<p>Law N°262/2006 Coll., Labour Code, Sec. 13, Para.2 and Sec. 16</p> <p>Law N° 435/2004 Coll., on Employment, Sec. 4., Para. 2</p> <p>Law N°. 218/2002 Coll, on Official Service in State Administration and on Remuneration of these Officials and other Employees</p>	<p>Law N° 262/2007 Coll., Labour Code, Sec.13, Para.2 and Sec. 16</p> <p>Law N° 435/2004 Coll., on Employment, Sec. 4., Para. 2</p> <p>Law N°. 218/2002 Coll, on Official Service in State Administration and on Remuneration of these Officials and other Employees</p> <p>Article 4(2) exception not included</p>	<p>Law N° 262/2007 Coll., Labour Code, Sec.13, Para.2 abd Sec. 16</p> <p>Law n°. 435/2004 Coll., on Employment, Sec. 4., Para. 2</p> <p>Law N°. 218/2002 Coll, on Official Service in State Administration and on Remuneration of these Officials and other Employees</p> <p>Provisions in national law include article 6 exception</p>	<p>Law N°. 435/2004 Coll., on Employment, Sec. 4., Para. 2</p> <p>Law N°. 218/2002 Coll, on Official Service in State Administration and on Remuneration of these Officials and other Employees</p> <p>Labour Code 2007 , Law on Employment</p> <p>National law provides for a ban on discrimination based on health situation (disability not being mentioned explicitly)</p> <p>Reasonable accommodation included in labour law.</p>	<p>Positive action is allowed in some cases</p>	<p>No Equality Body designated</p> <p>But some related competences are exercised by :</p> <p>Labour office</p> <p>Labour inspection (inspector ship)</p> <p>Ombudsman</p> <p>Statistical office</p>	<p>Provisions on shifting burden of proof and victimisation included in national law</p>
<b>DK</b>	<p>Act on Prohibition of Discrimination in Employment (law 459, 12/06/1996</p>	<p>Act on Prohibition of Discrimination in Employment (law 459, 12/06/1996 amended by law</p>	<p>Act on Prohibition of Discrimination in Employment (law 459, 12/06/1996 amended by law 1417, 22.12.2004)</p>	<p>Act on Prohibition of Discrimination in Employment (law 459, 12/06/1996 amended by law 1417, 22.12.2004)</p>	<p>Positive actions are allowed (article 9 of the Act on Prohibition of Discrimination in Employment)</p>	<p>Danish Institute for Human Rights only covers race and ethnicity</p>	<p>Provisions on shifting burden of proof are included in Act on Prohibition of Discrimination in Employment</p>

	amended by law 253 on.7 April 2004)	253 on.7 April 2004) Provisions in national law include article 4(2) exception.	Provisions in national law include article 6 exception	Reasonable accommodation included in national law			General provisions on victimisation included in national law
<b>DE</b>	General Law on Equal Treatment of 18 August 2006	General Law on Equal Treatment of 18 August 2006 Provisions in national law include article 4(2) exception	General Law on Equal Treatment of 18 August 2006 Provisions in national law include article 6 exception	General Law on Equal Treatment of 18 August 2006 Various provisions of the Social Codes Parts I, III, IX, X, XII, Disabled Equality Law, Section 554a Civil Code  Reasonable accommodation provisions included, but limited to "severely disabled people".	Positive action allowed (Section 5 of the General Law on Equal Treatment)	Federal Anti-Discrimination Agency covers all grounds in article 13 EC Treaty	Provisions on shifting burden of proof and victimisation are included in the General Law on Equal Treatment

<b>EE<sup>2</sup></b>	Law on Employment Contracts (RT 1992, 15/16, 241, amended in 2004)	Law on Employment Contracts (RT 1992, 15/16, 241, amended in 2004)  No exceptions based on article 4(2) - but law on employment contracts does not apply to religious ministers	Law on Employment Contracts (RT 1992, 15/16, 241, as amended in 2004)  Article 6 exception not included in national law	Law on Employment Contracts (ref.: RT 1992, 15/16, 241, as amended in 2004)  Law on Occupational Health and Safety  Law on Employment Services and Allowances  No provisions on reasonable accommodation	No provisions on positive action (except for disabled)	Chancellor of Justice covers all grounds under article 13 EC Treaty	No provisions on shifting burden of proof or on victimisation
<b>IE</b>	Equality Act 2004 amending Employment Equality Act 1998 and Equal Status Act 2000	Equality Act 2004 amending Employment Equality Act 1998 and Equal Status Act 2000  Provisions in national law include article 4(2) exception. Only "religion" expressly covered, not "belief".	Equality Act 2004 amending Employment Equality Act 1998 and Equal Status Act 2000  No general exception based on art. 6, but specific exceptions, eg. maximum ages for recruitment, different retirement ages.	Equality Act 2004 amending Employment Equality Act 1998 and Equal Status Act 2000  Building Regulations 1997 – 2005  Disability Act 2005  Reasonable accommodation included	Positive action allowed	Equality Authority and the Equality Tribunal cover all grounds under Art. 13 EC Treaty plus additional grounds	Provisions on shifting burden of proof and victimisation included in national law

<sup>2</sup> The information provided does not take into account the draft Equal Treatment Act which has been approved by the Estonian Government, but which is not yet approved by the Estonian Parliament.

<b>EL</b>	Equal Treatment Act (Article 1 & 2, law 3304, 27/01/2005)	Equal Treatment Act (Article 1 & 2, law 3304, 27/01/2005)  Provisions in national law include article 4(2) exception	Equal Treatment Act (Article 1 & 2, law 3304, 27/01/2005)  Provisions in national law include article 6 exception	Equal Treatment Act (Article 1 & 2, law 3304, 27/01/2005)  Reasonable accommodation included (Article 10 of Equal Treatment Act)	Positive action allowed (Article 12 of Equal Treatment Act): targeted programmes for employment and training of elderly people and certain minorities.	Citizens' Ombudsman (competent for public sector), Labour inspection (competent for private sector) and Committee for equal opportunities in the Ministry of Justice: all cover all article 13 EC Treaty grounds.	Provisions on shifting burden of proof and victimisation included in national law (Article 14 & 15, Equal Treatment Act).
<b>ES</b>	Law 62/2003, of 30 December (fiscal, administrative and social measures)	Law 62/2003, of 30 December, of (fiscal, administrative and social measures)  Article 6 of the Organic Law on Religious Freedom provides for autonomy of the church	Law 14/2005 of 1 July 2005  Provisions in national law include article 6 exception	Law 62/2003, of 30 December, of fiscal, administrative and social measures  Law 51/2003 (Disability, in general terms), Law 13/1982 on the Social Integration of the Disabled (employment)  Reasonable accommodation included.	Positive action allowed  Broad obligation to advance equality in national constitution	Equality body provided for in the law (not yet in place) covers only racial or ethnic origin	Provisions on shifting burden of proof included in national law  Provisions on victimisation included in national law, except for civil servants regarding which the protection is granted directly on the basis of the Constitution
<b>FR</b>	Law combating discrimination n°. 2001-1066	Law combating discrimination n°. 2001-1066	Law combating discrimination n°. 2001-1066	Law on disability 2005, article 122-45-4 Labour Code. Article L114 Code of	No provisions on positive action except for the employment	High Authority against Discrimination and for Equality (HALDE) covers all grounds	Provisions on shifting burden of proof are included in national

	Law no 2004-1486 of 30 December 2004 creating Equality Body (HALDE)	Law no 2004-1486 of 30 December 2004 creating Equality Body (HALDE)  No reference to article 4(2) exception	Law no 2004-1486 of 30 December 2004 creating Equality Body (HALDE)  Governmental Decree 2005-901 of 2 August 2005 on Access to Employment in Public Service  Provisions in national law include article 6 exception	Social Welfare.  Decree no 2006-134 of February 9, 2006 relating to the recognition of the importance of disability; Decree no 2006-501 of May 3, 2006 relating to the fund for professional integration of disabled persons.  Reasonable accommodation included (article L. 323-9-1 Labour Code).	of disabled persons	under Art. 13 EC Treaty	law  Provisions on victimisation included in national law, but lack of protection for persons other than victims and witnesses.
<b>IT</b>	Legislative Decree No. 216 of 9 July 2003 transposing Directive 2000/78, amended by Legislative Decree no. 256 of 2 August 2004	Legislative Decree No. 216 of 9 July 2003 transposing Directive 2000/78, amended by Legislative Decree no. 256 of 2 August 2004  Exceptions based on Article 4(2) appear too wide	Legislative Decree No. 216 of 9 July 2003 transposing Directive 2000/78, amended by Legislative Decree no. 256 of 2 August 2004  Provisions in national law include article 6 exception, but appear to be too wide.	Legislative Decree No. 216 of 9 July 2003 transposing Directive 2000/78, amended by Legislative Decree no. 256 of 2 August 2004  Act of 12 March 1999 n.68 Provisions on the right to work of disabled persons  Framework Law of 5 February 1992, no.	Positive action is allowed by the Constitution but not required explicitly by law (except for disability)	Equality body covers only race and ethnic discrimination	No provision on shifting burden of proof.  Victimisation only covers the victim (not those who help) and only taken into account when assessing amount of damage



				104 on the assistance, social integration and rights of disabled persons  Reasonable accommodation provisions do not cover all disabled persons.			
<b>CY</b>	Law on Equal Treatment in Employment and Occupation (article 6, law no. 58 (I) 2004)	Law on Equal Treatment in Employment and Occupation (Article 6 law 58 (I) 2004)  Provisions in national law include article 4(2) exception	Law on Equal Treatment in Employment and Occupation (Article 6 law 58 (I) 2004)  Provisions in national law include article 6 exception	Law on disability (Article 3, law 127 (I) 2000, amended 57 (I) 2004 and 72 (I) 2007)  Reasonable accommodation included in national law (Article 5.1bis of law 72(I) 2007)	Positive action for employment of women and young people (15-24 years)	Commissioner for Administration (Ombudsman) covers all grounds in article 13 EC Treaty	Provisions on shifting burden of proof are included in law 50 (I) 2007  Provisions on victimisation included in law 58 (I) 2004
<b>LV</b>	Labour code, as amended on 21 September 2006	Labour code, as amended on 21 September 2006  Provisions in national law include article 4(2) exception	Labour code, as amended on 21 September 2006  Provisions in national law include article 6 exception. However, exception may in some cases be wider than under the Directive (article 32.2	Article 7.2 & 29.9, labour code amended on 21 September 2006)  Reasonable accommodation included (article 7.3 labour code)	No clause on positive action	Ombudsman covers all grounds under article 13 EC Treaty	Provisions on shifting burden of proof included (Article 29.3 labour code)  Provisions on victimisation included (see general article 9.1 labour code)

			of labour code)				
<b>LT<sup>3</sup></b>	<p>Law on Equal Treatment, 18 November 2003, No. IX – 1826 (entry into force: January 2005)</p> <p>Employment Code, June 2002</p> <p>Law amending the Code of Administrative Offences, 2005</p> <p>Law amending the Code of Administrative Offences, 2005</p>	<p>Law on Equal Treatment, 18 November 2003, No. IX – 1826</p> <p>Employment Code, June 2002</p> <p>Law amending the Code of Administrative Offences, 2005</p> <p>No article 4(2) exception</p>	<p>Law on Equal Treatment, 18 November 2003, No. IX – 1826</p> <p>Employment Code, June 2002</p> <p>Law amending the Code of Administrative Offences, 2005</p> <p>Provisions in national law broader than article 6 exception (art. 2.3.1 Law on Equal Treatment)</p>	<p>Law on Equal Treatment, 18 November 2003, No. IX – 1826</p> <p>Employment Code, June 2002 (art. 92)</p> <p>Law on the Social Integration of Disabled, January 1991</p> <p>Law on Support for Employment, June 2007</p> <p>Provisions on reasonable accommodation included in national law (art. 5.9 Law on Equal Treatment)</p>	Positive action allowed (art. 2.3.6 Law on Equal Treatment)	Equal Opportunities Ombudsman covers all grounds in article 13 EC Treaty	<p>No specific provisions for shifting the burden of proof in cases of discrimination</p> <p>Insufficient protection against victimisation (see art. 5.8, 7.5, 8.4 of Equal Treatment Act)</p>
<b>LU</b>	Equal Treatment Law of 28 November	Equal Treatment Law of 28 November 2006	Equal Treatment Law of 28 November 2006 Law of 29 November	Equal Treatment Law of 28 November 2006 Law of 29 November	Positive action allowed (art. 253-1 of labour code)	Equality body to cover all grounds in article 13 EC Treaty (except sexual orientation) -	Provisions on shifting burden of proof are included

<sup>3</sup> The information provided does not take into account the new draft legal act amending the Law on Equal Treatment approved by the Government, as it is still under discussion in Parliament.

	2006 Law of 29 November 2006 (public sector law)	Law of 29 November 2006 (public sector law)  Provisions in national law include article 4(2) exception	2006 (public sector law)  Provisions in national law include article 6 exception	2006 (public sector law)  Provisions on reasonable accommodation included in national law (however, national law appears to introduce limitations for non-EU third country nationals)		article 8 to 12 from the Law of the 28 November 2006)	Provisions on victimisation included
<b>HU</b>	Act CXXV of 2003 on Equal Treatment and the Promotion of the Equality of Opportunities (ETA), last amended in May 2005	Act CXXV of 2003 on Equal Treatment and the Promotion of the Equality of Opportunities, last amended in May 2005  Provisions in national law include article 4(2) exception	Act CXXV of 2003 on Equal Treatment and the Promotion of the Equality of Opportunities, last amended in May 2005  No provisions based on article 6 exception. However, special statutory provisions aimed at the promotion of vocational integration of young workers, persons with caring responsibilities and older workers as well.	Act CXXV of 2003 on Equal Treatment and the Promotion of the Equality of Opportunities, last amended in May 2005  No transposition of reasonable accommodation obligations. However, legal duties stronger in respect of persons already employed than those in respect of persons seeking employment	Positive action is defined in the law; specific provisions in the different fields (for example concerning disabled persons)	Equal Treatment Authority covers all grounds under article 13 EC Treaty	Provisions on shifting burden of proof included in national law (article 19 of the ETA)  Provisions on victimisation included in national law (article 10(3) of the ETA)

<p><b>MT</b></p>	<p>Employment and Industrial Relations Act 2002</p> <p>Equal Treatment in Employment Regulations, 2004 (LN461/04 as amended by the Equal Treatment in Employment (Amendment) Regulations LN53/07).</p>	<p>Employment and Industrial Relations Act 2002</p> <p>Equal Treatment in Employment Regulations, 2004 (LN461/04 as amended by the Equal Treatment in Employment (Amendment) Regulations LN53/07)</p> <p>Provisions in national law include article 4(2) exception</p>	<p>Employment and Industrial Relations Act 2002</p> <p>Equal Treatment in Employment Regulations, 2004 (LN461/04 as amended the Equal Treatment in Employment (Amendment) Regulations LN53/07)</p> <p>Provisions in national law include article 6 exception</p>	<p>Employment and Industrial Relations Act 2002</p> <p>Equal Treatment in Employment Regulations, 2004 (LN461/04 as amended by the Equal Treatment in Employment (Amendment) Regulations LN53/07)</p> <p>Equal Opportunities (Persons with Disabilities) Act 2000</p> <p>Reasonable accommodation included</p>	<p>Positive action provision included (Regulation 6 (1) of Equal Treatment in Employment Regulations, 2004 (LN461/04 as amended by the Equal Treatment in Employment (Amendment) Regulations LN53/07.)</p> <p>Special measures for disabled (Persons with a Disability (Employment) Act)</p>	<p>National Commission for the Promotion of Equality covers gender and race aspects of discrimination.</p> <p>Other aspects of discrimination are covered by the National Commission Persons with Disability (as well as the Department for Industrial and Employer Relations).</p>	<p>Provisions on shifting burden of proof are included in regulation 10(3) of the Equal Treatment in Employment Regulations, LN 461/2004. However, the Equal Opportunities (Persons with Disability) Act, 2000, does not provide any rules on shifting the burden of proof</p> <p>Provisions on victimisation included (article 28 of the Employment and Industrial Relations Act)</p>
<p><b>NL</b></p>	<p>General Equal Treatment Act of 1994, as amended by EC Implementation Act 2004 and by Law of 15 September 2005.</p>	<p>General Equal Treatment Act of 1994, as amended by EC Implementation Act 2004 and by Law of 15 September 2005.</p> <p>General exemption</p>	<p>Act on Equal Treatment in Employment (Age Discrimination) Act of 17 December 2003</p> <p>Provisions in national law include article 6 exception (exception should be based on</p>	<p>Act on Equal Treatment (Disabled or Chronically Sick Persons) Act of 3 April 2003</p> <p>Reasonable accommodation included</p>	<p>Positive action allowed for race and sex (article 2(3) of the GETA) and disability (article 3 (1) sub c of the Act on Equal Treatment (Disabled or Chronically Sick Persons) Act)</p>	<p>Equal Treatment Commission covers all grounds under article 13 EC Treaty.</p>	<p>Provisions on shifting burden of proof and victimisation included in national law</p>

		for religious schools & for legal relations within religious communities.	labour policy and enacted by law)				
<b>AT</b>	<p>Equal Treatment Act (Nr.66/2004) and provincial laws</p> <p>Federal-Equal Treatment Act (Nr. 65/2004) and provincial laws</p>	<p>Equal Treatment Act (Nr. 66/2004) and provincial laws</p> <p>Federal-Equal Treatment Act (Nr. 65/2004) and provincial laws</p> <p>Provisions in national law include article 4(2) exception</p>	<p>Equal Treatment Act (Nr. 66/2004) and provincial laws</p> <p>Federal-Equal Treatment Act (Nr. 65/2004) and provincial laws</p> <p>Provisions in national law include article 6 exception</p>	<p>Act on the Employment of People with Disabilities, Nr. 22/1970( amended by Federal Law Nr. 82/2005)</p> <p>Equal Disability Act (Nr. 82/2005)</p> <p>Provincial laws</p> <p>Provisions on reasonable accommodation included in national law</p>	<p>Positive action allowed under Equal Treatment Act and Act on the Employment of People with Disabilities</p>	<p>National Equality Body and Equal Treatment Commission cover all grounds in article 13 EC Treaty (except disability covered by the Ombud for disability )</p> <p>Provincial equality bodies established with different competences according to regions.</p>	<p>Provisions on shifting burden of proof and victimisation included Austrian federal legislation</p>

<b>PL</b>	<p>Labour code (Act of 26 June 1974 as amended in 2001 and 2003)</p> <p>Act of 20 April 2004 on the Promotion of Employment and the Institutions of Labour Market</p>	<p>Labour code (Act of 26 June 1974 as amended in 2001 and 2003)</p> <p>Act of 20 April 2004 on the Promotion of Employment and the Institutions of Labour Market</p> <p>Provisions in national law include article 4(2) exception</p>	<p>Labour code (Act of 26 June 1974 as amended in 2001 and 2003)</p> <p>Act of 20 April 2004 on the Promotion of Employment and the Institutions of Labour Market</p> <p>Broad exception based on article 6 (article 18<sup>3b</sup>§2 of the Labour Code), a number of exceptions provided by law for miners, employment for young and old people.</p>	<p>Labour code (Act of 26 June 1974 as amended in 2001 and 2003)</p> <p>No provisions defining reasonable accommodation.</p> <p>However, there are legal provisions related to facilitate employment of disabled persons<sup>4</sup>.</p>	<p>Positive action allowed (article 18.3b, §3 of the labour code and Act of 27 August 1997 on vocational and social rehabilitation and employment of persons with disabilities)</p>	<p>Commissioner for the protection of the civil rights (Ombudsperson) covers all grounds under article 13 EC Treaty</p>	<p>No specific provision on shifting of burden of proof (article 24 of civil code does not refer to presumption to allow a shift in burden of proof and does not refer explicitly to cases of discrimination)</p> <p>Provisions on victimisation limited to dismissal (not to other unfavourable treatment)</p>
<b>PT</b>	<p>Labour Code Law 99/2003</p> <p>Law nr. 35/2004, 29 July 2004, that</p>	<p>Labour Code Law 99/2003</p> <p>Law nr. 35/2004, 29 July 2004, that regulates Labour</p>	<p>Labour Code Law 99/2003</p> <p>Law nr. 35/2004, of 29 July that regulates</p>	<p>Labour Code Law 99/2003</p> <p>Law 46/2006 of 28 August 2006 prohibiting and</p>	<p>Positive action allowed (article 25, Labour Code)</p>	<p>High Commissioner for Immigration and Intercultural Dialogue covers race, and ethnic origin. It deals also</p>	<p>Provisions on shifting burden of proof and victimisation included in national law (Labour Code</p>

<sup>4</sup> Act of 27 August 1997 on vocational and social rehabilitation and employment of persons with disabilities and Regulation of the Minister of Labour and Social Policy of 26 September 1997 on general provisions on safety and health at work.

	regulates Labour Code	Code No exception based on article 4.2	Labour Code Provisions in national law include article 6 exception	punishing discrimination based on disability and on the grounds that a person has a pre-existing aggravated risk to their health  Law nr. 35/2004, of 29 July that regulates Labour Code, includes rules concerning “reasonable accomodation” <sup>5</sup> .		with immigration issues.	and Law nr. 35/2004, 29 July 2004)
<b>SI</b>	Act implementing the principle of equal treatment 2004 (IPETA)  Act amending Act implementing the principle of equal treatment 2007 (IPETA-	Act implementing the principle of equal treatment 2004 (IPETA)  Act amending Act implementing the principle of equal treatment 2007 (IPETA-A)	Act implementing the principle of equal treatment 2004 (IPETA)  Act amending Act implementing the principle of equal treatment 2007 (IPETA-A)	Act implementing the principle of equal treatment 2004 (IPETA)  Act amending Act implementing the principle of equal treatment 2007 (IPETA-A)	Positive action allowed	Advocate of the Principle of Equality and Council of the Government for the Implementation of the Principle of Equal Treatment cover all grounds under Art. 13 EC Treaty	Provisions on shifting burden of proof and victimisation are included in national law

<sup>5</sup> A number of other legal texts aim at facilitating the integration of disabled persons: Governmental Law nr. 34/2007, 15 February 2007, that regulates Law 46/2006, of 28 August, Governmental Law nr. 163/2006, 8 August 2006 (accessibility in public services and private houses), Executive Law nr. 120/2006, 21 September 2006 (First Action Plan for the Integration of Disabled People from year 2006 to 2009), Executive Law nr. 9/2007, 17 January 2007, that approved the National Plan for Promotion of Accessibility.

	<p>A)</p> <p>Employment Relations Act 2003</p> <p>Act amending Employment Relations Act 2007</p>	<p>Employment Relations Act 2003</p> <p>Act amending Employment Relations Act 2007</p> <p>Provisions in national law include article 4(2) exception</p>	<p>Employment Relations Act 2003</p> <p>Act amending Employment Relations Act 2007</p> <p>Provisions in national law include article 6 exception</p>	<p>Employment Relations Act 2003</p> <p>Act amending Employment Relations Act 2007</p> <p>Vocational Rehabilitation and Employment of Disabled Persons Act, Pension and Disability Insurance Act, Health and Safety at Work Act</p> <p>Provisions on reasonable accommodation included in national law</p>			
<b>SK</b>	<p>Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws</p>	<p>Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws</p>	<p>Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws</p>	<p>Act No. 365/2004 Coll. on Equal Treatment in Certain Areas and Protection against Discrimination, amending and supplementing certain other laws</p>	<p>Positive action allowed only for women, minors and disabled people</p>	<p>Slovak National Centre for Human Rights covers all grounds under Art. 13 EC Treaty and human rights</p>	<p>Provisions on shifting burden of proof and victimisation included in national law</p>



	Act No. 308/1993 Coll. on establishing the Slovak National Centre for Human Rights, last amended in 2004.	Act No. 308/1993 Coll. on establishing the Slovak National Centre for Human Rights, last amended in 2004.  Article 4(2) exception included in national law	Act No. 308/1993 Coll. on establishing the Slovak National Centre for Human Rights, last amended in 2004.  Provisions in national law include article 6 exception	Act No. 308/1993 Coll. on establishing the Slovak National Centre for Human Rights, last amended in 2004.  Reasonable accommodation included			
<b>FI<sup>6</sup></b>	Non-Discrimination Act, 21/2004  Employment contract Act as amended by Law 23/2004  Civil Servant Act (750/1994)  Municipal Officeholders' Act (304/2003), Seafarers' Act (423/1978)	Constitution of Finland  Non-Discrimination Act, 21/2004  Employment contract Act as amended by Law 23/2004  Civil Servant Act (750/1994)  Municipal Officeholders' Act (304/2003), Seafarers' Act	Constitution of Finland  Non-Discrimination Act, 21/2004  Employment contract Act as amended by Law 23/2004  Civil Servant Act (750/1994)  Municipal Officeholders' Act (304/2003), Seafarers' Act (423/1978)	Constitution of Finland  Non-Discrimination Act, 21/2004  Employment contract Act as amended by Law 23/2004  Civil Servant Act (750/1994)  Municipal Officeholders' Act (304/2003), Seafarers' Act (423/1978)	Positive action allowed under the Non-Discrimination Act	Ombudsman for Minorities and Discrimination Board deals only with ethnic minorities	Shifting of burden of proof and victimisation included under Section 8 of the Non-Discrimination Act

<sup>6</sup> some parts of the new equality legislation are not applicable with respect to the Åland Islands (which have their own legislation that came into force in December 2005)

		(423/1978) No general provisions in national law based on article 4(2) exception (however, the Lutheran Church may ask membership of the church from its officeholders)	Provisions in national law include article 6 exception	Reasonable accommodation provided for under Section 5 of the Non-Discrimination Act			
SE	Prohibition of Discrimination Act (2003:307) amended by Act 2004:1089  Act on a Ban against Discrimination in Working Life on Grounds of Sexual Orientation (1999:133) amended by Act 2003:310	Prohibition of Discrimination Act (2003:307) amended by Act 2004:1089  Measures to Counteract Discrimination in Working Life Act (1999:130) as amended by Act 2003:308 and 2005:477  No article 4(2) exception under national law	Sweden has not met the extended deadline as far as age is concerned	Prohibition of Discrimination Act (2003:307) amended by Act 2004:1089  Prohibition of Discrimination in Working Life of People with a Disability Act (1999:132) amended by Act 2003:309  Disability Discrimination Act (employment, promotion or training for promotion); 1977 Working Environment Act; 1982 Employment	Positive action allowed in some cases	Ombudsman for Ethnic Discrimination covers as well religion and belief.  Specialised Ombuds for disability and sexual orientation.  Equality body covers awareness-raising activities	Provisions on shifting burden of proof and victimisation are included in national law

				Protection Act.  Reasonable accommodation included			
<b>UK</b>	Employment Equality (Sexual Orientation) Regulations 2003	Employment Equality (Religion or Belief) Regulations 2003.  Provisions in national law include article 4(2) exception (regulation 7(3) of the Employment Equality (Religion or Belief) Regulations 2003).	Employment Equality (Age) Regulations 2006  The regulations make use of the provision in article 6 to provide for differences of treatment where objectively justified, including specific exceptions, eg. national minimum wage, benefits based on length of service.	Disability Discrimination Act 1995 (Amendment) Regulations 2003  Disability Discrimination Act 1995 (Pensions) Regulations 2003  Disability Discrimination Act 1995 (Amendment) (Further and Higher Education) Regulations 2006.  Previously existing duty of reasonable adjustment - under the Disability Discrimination Act - extended to small employers, previously excluded occupations (except Armed Forces) and vocational training.	Positive action allowed for access to training and encouragement to take advantage of employment opportunities.  Positive action on religious grounds (quotas) permitted in Northern Ireland for the police force and training for employment for under-represented groups	Commission for Equality & Human Rights covers all Article 13 grounds	Provisions on shifting burden of proof and victimisation included in national law

				Equivalent provisions made in Northern Ireland.			
--	--	--	--	-------------------------------------------------------	--	--	--