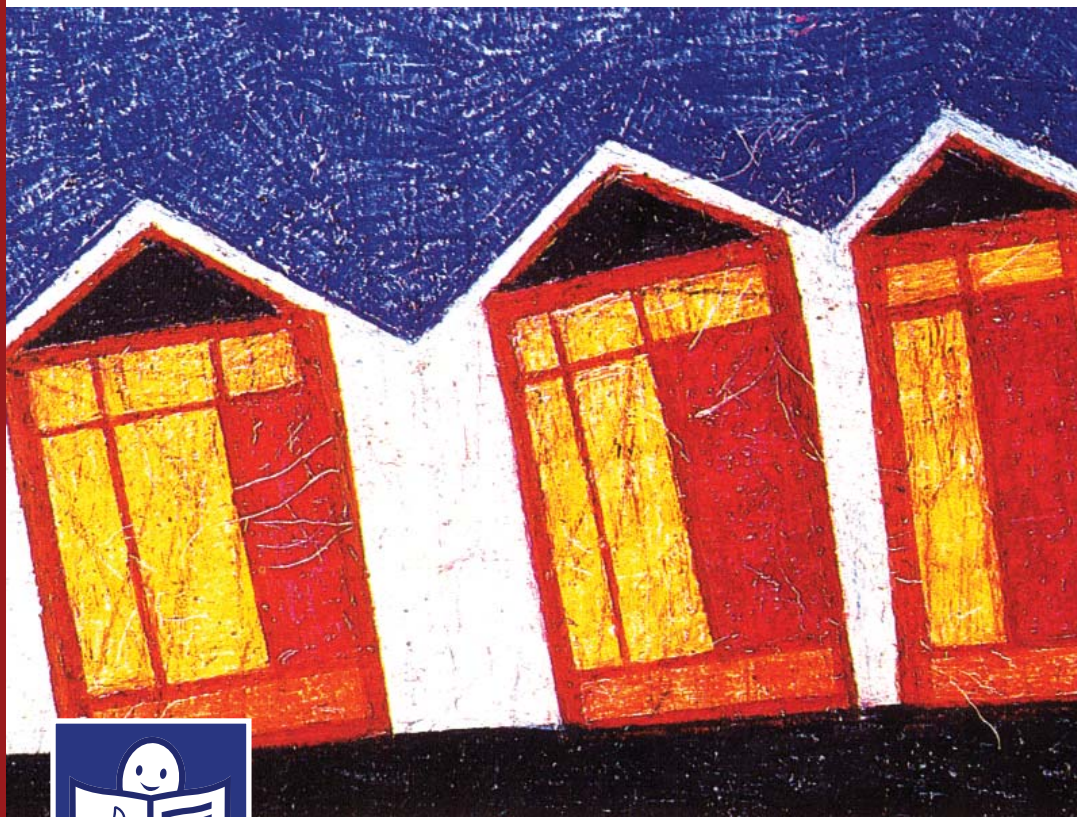


# The European Directive for Equal Treatment in Employment and Occupation



Inclusion Europe



Report

Inclusion Europe and its 49 members in these 36 countries are fighting against discrimination:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- England
- Estonia
- Faroe Islands
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Israel
- Italy
- Latvia
- Lithuania
- Luxembourg
- Macedonia
- Moldova
- Netherlands
- Norway
- Poland
- Portugal
- Romania
- Russia
- Scotland
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland

Our members in English-speaking countries are:

MENCAP 123 Golden Lane  
London EC1Y 0RT  
United Kingdom  
Tel.: (44) 207-454.04.54

NAMHI 5 Fitzwilliam Place  
Dublin 2  
Ireland  
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Edmund Kregel has made the drawing. Its title is: "Hochhaus in vierfacher".

This booklet has a number so you can find it easily.

This number is: ISBN 2-87460-003-2

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# What is a European Directive?

A European Directive is a European law. This law sets rules on how the European Union protects people.



The European Union wants to help people to have a job.



People with disabilities are often discriminated at work. This is why the European Union has written the “Directive for equal treatment in employment and occupation”.



This Directive protects people from discrimination at work.

We will call this law the ‘Employment Directive’.

# Why do we need a law against discrimination at work?

The European Union fights against discrimination. All people are protected against discrimination in the European Union.

The European Union says that it is most important to fight against discrimination at work. It also says that people with disabilities should be included in work and social life.



# What is in the Directive for equal treatment in employment and occupation?

The Employment Directive fights against discrimination in work and vocational training.

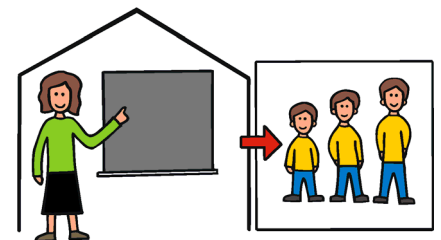
The directive says that it is not allowed to discriminate because of

- religion,
- belief,
- disability,
- age, or
- sexual orientation (for example being gay).



The Directive says that it is very important to help persons with disabilities

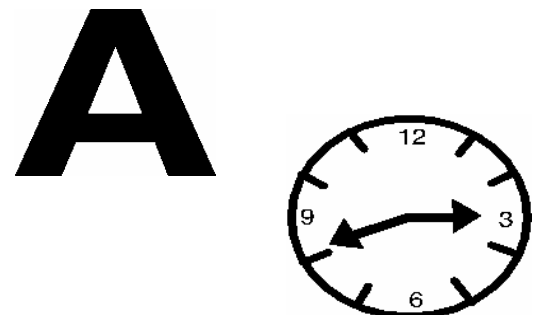
- to be hired
- to be trained and
- to learn during all their life.



The Employment Directive says that workplaces should be changed so that people with disabilities can do their work.

Examples of changes are:

- text with big letters,
- lighter work schedules,
- help for training.



The changes have to be fair for the employer.  
This means that the employer will not have to make changes that cost too much money.

But the government can pay the employer for these changes.



Then the employer cannot say that they cost too much.

The Employment directive also says that if persons with disabilities are discriminated against they can get help to take legal action.



## What are the most important parts of the Employment Directive for people with intellectual disabilities?

You need to know about the most important parts of the Employment directive to understand your rights at work.

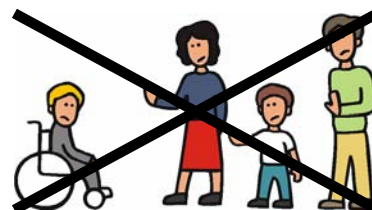


### Article 1:

The aim of the Employment Directive is to stop the discrimination of people at work or at vocational training.

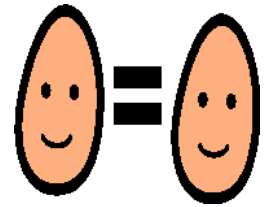
Discrimination can be because of

- your religion or belief
- your disability
- your age
- your sexual choices.



## Article 2:

The directive supports equal treatment between all workers.

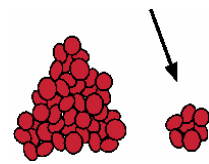


The directive explains two kinds of discrimination:

1. When a person is treated worse than another person in the same situation.

For example:

A person does the same work as a colleague. But the person gets paid less because he has a disability.



This is called direct discrimination.

2. Sometimes a situation seems to be the same for everybody.

But really, some people are treated worse than others.

This is called indirect discrimination.



For example:

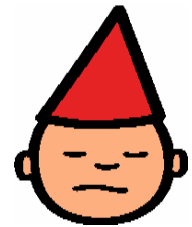
A person is looking for a job as an office cleaner. The employer says: I want employees that have completed a basic school education.

This would be indirect discrimination if you do not really need a formal school education for this job.

The directive says that harassment is also a form of discrimination.

Example of harassment:

when a colleague calls you “stupid” or gives you bad names all the time.



It is harassment if it is permanent or repeated bad behavior against a person.

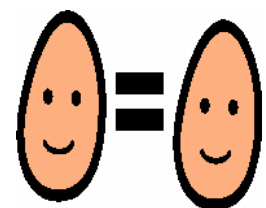
The person who is harassed is excluded at work.

The employer must stop this.

### **Article 3:**

This article explains all situations where there must be equal treatment at work.

If there is equal treatment there is no discrimination.



Let's take some examples.

- An employer wishes to employ a new person with certain skills for a job.

It is important that in selecting this new person, the employer does not discriminate against people with intellectual disabilities.

- All employees have the right to receive professional training, including people with disabilities.



- All employees have the right to the same working conditions, including people with disabilities.

- All employees have the right to belong to a trade union or to any other association of workers, including people with intellectual disabilities.

## Article 5:

This article explains what “reasonable accommodation” is.

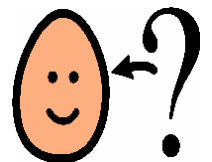
Reasonable accommodation means that employers have to make changes to the workplace so that some workers can do their jobs.



But these changes must be “reasonable”. This means that the employer will not have to make changes that cost too much money.



Reasonable accommodation means that all workers with disabilities can ask for changes they need to do the job. This is their right.



One example of changes employers could make:

A person with intellectual disabilities has to put small things in boxes.



All the boxes look the same.

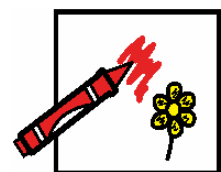
They have stickers to explain what should go inside.

This is difficult for someone who cannot read.

So, the employer can buy boxes in different colors.

This helps people who cannot read.

It helps the worker do his job.



This is not expensive.

The employer cannot say “no” to this change because it is helpful to the worker and not expensive.

## Article 7:

The State can help disabled people to get a job. For example, the State can reserve some jobs for persons with disabilities.



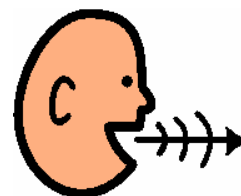
## Article 8:

The Employment Directive is a European law. But every European country has different laws. All the countries in the European Union have to follow the European laws and their own laws. If their own law is better than the European Union law, the country must use its own better law.

## Article 9:

If you think that you have been discriminated against, you have the right to complain.

The Directive helps people to complain if they have been discriminated against.



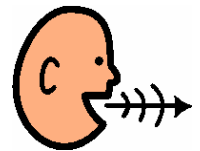
A complaint is a long and difficult procedure. But associations and organizations can help persons with intellectual disabilities to defend their rights.

They can help them to go to Court.



## Article 10:

If you have not been treated like other people, you should explain what happened to the organization that is helping you.



You have to explain the bad things that have been done to you.

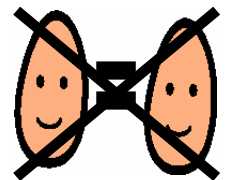


You have the right to fight against that.

If you complain about discrimination against you at work, your employer or the person who has discriminated against you must show that he did not do anything wrong. It is his job to show this.

## Article 11:

This article explains what 'victimization' is. Victimization means treatment that is not fair.

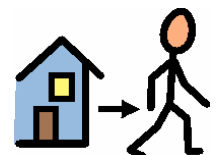


You can complain about your employer. Sometimes, you might want to go to court against your employer.



If you want to complain, the Directive protects you.

This is an important right for all workers. Your employer cannot tell you to leave just because he is angry that you complained. He is not allowed to do something bad to you, if you are complaining.



If he is doing something against you because you complained, it is called victimization.

This right must be written in all national laws.



## Article 12:

The government must inform all workers about their rights.

This information must be understandable to everybody.

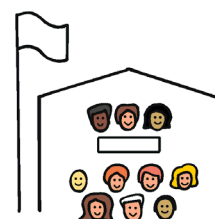
The courts should also have information in easy-to-read language.



## Article 13:

The workers, associations and the government must work together.

It is important that the rights of all workers are respected.



# Inclusion Europe

The European Association of Societies  
of Persons with Intellectual Disabilities  
and their Families

Inclusion Europe represents people with  
intellectual disabilities and their families.  
Organisations of self-advocates and  
parents from 36 countries in Europe are  
our members.

Inclusion Europe works with the  
European Commission and the European  
Parliament.

Inclusion Europe works in 3 main areas :

1. The fight against discrimination
2. Human Rights of people with  
intellectual disabilities
3. Inclusion of all people in society

Inclusion Europe publishes many  
documents and organises many  
conferences in Europe.

We work closely together  
with all our members.



With the support  
of the European  
Commission



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