



Date May 17,2019

## **MEDIATION BRIEFING**

### **Fine imposed on a hotel company following an intervention by the Ombudsman, for refusal to hire a worker with a disability/chronic condition**

A worker submitted a complaint to the Ombudsman and the Labour Inspectorate (SEPE), arguing that a hotel refused to hire him in its reception due to its low height, caused by disability/chronic disease.

The Ombudsman sent the company a written request for explanations. The company denied discrimination against the employee and claimed that he was not hired because he was found not to have experience, studies and training relevant to the post.

During the Ombudsman's investigation it was found that the company had received the employee's curriculum vitae and invited him for recruitment with full knowledge of his qualifications. Furthermore, the hotel manager, in accordance with an affidavit from a third party, stated that he had refused to recruit the worker because of his low height.

On the basis of these facts, the Ombudsman concluded that the enterprise infringed Law 4443/2016, which prohibits all forms of discrimination based on disability or chronic illness, in the field of employment and occupation, in accordance with Directive 2000/78/EC, and recommended to the competent authority the imposition of the administrative penalties provided for. The Labour Inspectorate imposed a fine on the company for infringement of Law 4443/2016, while submitting a complaint to the relevant Public Prosecutor's Office.

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