



Občan, demokracia
a zodpovednosť

BUILDING ON RESPONSIBILITY

EQUALITY PRINCIPLE AND NON-DISCRIMINATION



WHO IS BOUND BY THEM? WHY?

CORPORATE RESPONSIBILITY
LEGAL OBLIGATIONS



HOW TO MEET THEM?

RESPONSIBLE EMPLOYER
RESPONSIBLE SERVICE PROVIDER



WHAT ARE THEIR BENEFITS?

OPPORTUNITIES AND CHALLENGES
BENEFITS GAINED



WHAT WE HAVE TO OFFER?

20 YEARS OF EXPERIENCE AND EXPERTISE
OUR SERVICES

SATISFIED EMPLOYEES BRING POSITIVE CHANGES TO SOCIETY

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Trust for Civil Society
in Central and Eastern Europe



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BUILDING ON RESPONSIBILITY

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Democracy is a universally recognised ideal as well as a goal, which is based on common values shared by peoples throughout the world community irrespective of cultural, political, social and economic differences.

It is thus a basic right of citizenship to be exercised under conditions of freedom, equality, transparency and responsibility, with due respect for the plurality of views, and in the interest of the polity.

The achievement of democracy presupposes a genuine partnership between men and women in the conduct of the affairs of society in which they work in equality and complementarity, drawing mutual enrichment from their differences.

Universal UN Declaration on Democracy, Part 1 Principles of Democracy, Articles 1 and 4

EQUALITY PRINCIPLE AND AND NON-DISCRIMINATION



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WHO IS BOUND
BY THEM? WHY?

CORPORATE RESPONSIBILITY

Equality is one of the universal values shared across the European Union. For Slovakia, equally as for all the Member States, it is a prerequisite accompanying the successful achievement of goals in the areas of employment, social cohesion and economic growth.

The principle of non-discrimination is inherent in international law as well as in Slovak national legislation. The prohibition of discrimination on any grounds (gender, age, racial or ethnic origin, disability, sexual orientation, etc.) is the fundamental principle of the value embedded in EU law. It is a principal pillar of a new Europe

The prohibition of discrimination alone is not enough to ensure a true equality of all people. Efforts to address discrimination cases that have already occurred do not solve many actual problems either. The only effective means is prevention: policy making and implementation, developing mechanisms and introducing particular anti-discrimination measures.

One of the effective means to promote and enforce the equality principle in labour law and other legal relations is the concept of a responsible corporate approach. The concept builds on ethical, legal and social standards which it simultaneously integrates into internal rules and regulations, as well as into external functioning of an organisation.



LEGAL OBLIGATIONS

Protection against discrimination is primarily granted under the Anti-discrimination Act and the Slovak Constitution.

The obligation to comply with the equal treatment principle (i.e., non-discrimination) is imposed on employers and service providers under the law. The obligation does not only involve the prohibition of discrimination against individuals and groups of individuals, it also entails the requirement to take measures to protect against discrimination (to implement a system and well-considered measures, have standardised procedures in place, take targeted and conscious actions, etc.). A failure to comply with any of the two obligations



Act No. 365/2004 Coll. on equal treatment in certain areas and on the protection against discrimination (Anti-discrimination Act) has been in force in Slovakia for eight years now.

Affected persons may seek that a court order the party acting in breach of the said law to refrain from discriminatory actions, to provide a reasonable satisfaction (an apology, for example), to pay damages or provide financial compensation for a non-pecuniary damage. The court may also rule that the principle of equal treatment has been breached. The penalties imposed by the court must be proportionate, effective and dissuasive (i.e., they must be sufficiently stern), as required under the EU antidiscrimination directives. Violations of the equal treatment principle may also be penalised by other legislative mechanisms or authorities, such as labour inspectorates.

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HOW TO MEET THEM?

RESPONSIBLE EMPLOYER

One of the most effective means to encourage and promote diversity and the equality principle in labour and commercial law relations is through corporate social responsibility (CSR).

A responsible approach to corporate management reflects ethical, legislative, commercial and social expectations. It integrates social and environmental aspects into both internal and external corporate relations. It does not pose a threat to the mission of the organisation and to its economic performance. Quite to the contrary, it may even boost them up.

Non-discrimination, or the obligation to comply with the equal treatment principle applies at all stages and to all aspects of labour law relations, including, for example:

- ✓ hiring (including recruitment and job advertisements) and dismissing employees
- ✓ working conditions, wage conditions, non-financial benefits, working time
- ✓ processes and competence setting at a workplace, communication methods
- ✓ promotion, education and training of employees
- ✓ leaves, and employee and other social benefits
- ✓ engagement in trade unions, etc.

Phenomena and processes related to the application of the non-discriminatory principle go deep “under the skin”; they are often deeply personal and emotional, building up tensions and generating conflicts. But one can learn to solve them or - what is even better - to avoid them.



RESPONSIBLE SERVICE PROVIDER

Service and goods providers are responsible for all expressions of discrimination: at all levels of service provision, with respect to internal as well as external customers. It means they are held responsible even where the equal treatment principle is breached by their employees. The obligation to comply with the equal treatment principle applies to formalised procedures and outputs equally as to all informal actions, procedures, communication and overall practice.



A responsible approach involves:

- ✓ access to premises and facilities where the company provides its services (e.g., barrier-free entry and business premises, baby- and toddler-friendly zones, low-floor buses, etc.)
- ✓ removal of other barriers – “mental”, in communication, etc.
- ✓ equally affordable services without discrimination (e.g., submission of mandatory documents, certificates, etc.)
- ✓ non-discriminatory treatment with respect to providing income information, making advance payments and collection of information
- ✓ fair treatment and communication with clients based on partnership, etc.



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WHAT ARE
THEIR BENEFITS?



OPPORTUNITIES AND CHALLENGES

Take the advantage and become an organisation that pursues above-standard values in its approach to employees, clients and business partners. It will enhance your good reputation even more.

- ✓ Diversity management as a new dimension in effective human resources management
- ✓ Improved workplace atmosphere and increased responsibility of your employees
- ✓ Prevention of conflicts arising due to demands on complying with anti-discrimination regulations in practice
- ✓ Enhanced interest in working for your organisation – better possibilities of choosing the right employees in the future
- ✓ Good reputation in society and local communities and greater interest for your product offer
- ✓ Direct participation in shaping social changes

BENEFITS GAINED

Through cooperation with us, you will benefit from unique tools to encourage personal and professional growth of your employees, to develop your organisation and increase its prosperity and credibility.

At the organisational level, you will:

- ✓ gain the capacities to comply with internationally acknowledged CSR standards
- ✓ strengthen the good reputation of your organisation – thanks to new particular content and references
- ✓ mitigate the risk of legal and other disputes, penalties, obligations to pay compensations, negative publicity, harm to your good reputation, etc.

At the level of human resources management, you will:

- ✓ strengthen your corporate culture values and credibility both towards an internal and external audience
- ✓ reduce tensions and mitigate the risk of wasting human resources (e.g., in the case of a high employee turnover)
- ✓ get a comparative advantage in the labour market and encourage interest of high-quality people
- ✓ build a friendly and respectful internal environment based on the compliance with fundamental rights and accommodating the needs of people working for the organisation
- ✓ increase motivation and loyalty of your employees

At the level of management and direct HR coaching, you will:

- ✓ increase effectiveness of team work and enhance innovation and productivity
- ✓ optimise process management
- ✓ increase flexibility in HR coaching and gain skills necessary to eliminate tensions and resolve conflicts

At the marketing level, you will:

- ✓ win a broader target audience for your products and services
- ✓ gain more suitable marketing tools to address new target groups
- ✓ enjoy the benefits of a developed and diversified labour market



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CDA is a human rights non-governmental organisation with twenty years of experience. We promote the values of justice, human dignity and non-discrimination. Our aim is to strengthen responsibility, legal awareness and a dialogue of partners.

In line with international conventions, national and EU legislation:

- ✓ we propose procedures to ensure compliance with the equal treatment principle in practice
- ✓ we “custom-build” policy-making processes related to the fulfilment of the equality principle
- ✓ we monitor their implementation and compliance
- ✓ we educate, coach and consult
- ✓ we train how to communicate the equal treatment principle towards internal and external target groups



OUR SERVICES

[IF INTERESTED OR QUESTIONS PLEASE CONTACT US AT ODZ@ODZ.SK](mailto:odz@odz.sk)

Our educational and training courses expand your knowledge, develop skills and change attitudes in a balanced manner. We offer packages of services tailor-made to the needs of organisations, their managers and employees at all levels.

- MONITORING, PROFESSIONAL ADVISORY, CONSULTANCY
- SEMINARS, TRAINING COURSES, WORKSHOPS
- TEAM PROCESS FACILITATION, SUPERVISION, COACHING



The content of individual modules concentrates on the application of the equality principle and non-discrimination :

- ✓ Equality principle as a new quality in human resources management and part of managerial skills
- ✓ Equal treatment principle - legal and non-legal context
- ✓ Mapping and analysing the compliance with the equality principle to optimise corporate processes and culture
- ✓ Implementing the principle of equality and non-discrimination into corporate culture
- ✓ Resolving specific practical and legal problems related to the implementation of the obligation to comply with the equal treatment principle
- ✓ Encouraging preparation/modification of internal rules and measures to address existing discrimination cases
- ✓ Setting up formalised internal regulations in accordance with the obligation to comply with the equal treatment principle
- ✓ Introduction of procedures and components of corporate culture to prevent discrimination
- ✓ Applying the equality principle in day-to-day management of corporate staff

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