



NEWS REPORT

Date: 4 November 2010
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Title: The equality body issues a Code of Conduct on disability discrimination
Country: Cyprus
Context

Issue at stake: A binding Code of Conduct is published by the equality body to clarify some concepts and to assist employers and employees to avoid disability discrimination at the workplace.

Ground of discrimination: Disability

Source: Equality body Code of Conduct

Field: Employment

Legislative provisions: The Combating of Racial and Other forms of Discrimination (Commissioner) Law N.42(I)/2004, article 40; Law on Persons with Disabilities 127(I)/2000 (as amended).

Content

Description : In September 2010 the equality body published a Code of Conduct entitled “Code of Good Practice on discrimination on the ground of disability in employment and Occupation”. The drafting was commissioned to the Cypriot experts (former and current) of the Legal Network who produced a 30-page document setting out the legislative framework in simplified language enriched with examples, fictive and actual, derived from the equality body’s own activity, ECHR decisions and court decisions in other EU Member States. The Code is divided into six chapters: (1) An overview describing the aims and legal status of the Code; (2) a guide on how to avoid discrimination, highlighting the social dimension of discrimination, the significance of cooperating with the persons with disability in solving problems and design to avoid future problems; (3) who has rights and who has obligations under the law, which is divided in two subsections, namely (a) ‘who has rights’, being the persons with disability, those perceived to have a disability, those who had a disability in the past, carers, employees, self-employed persons and trainees, and (b) ‘who has obligations’, explaining the wide spectrum of applicability of the law; (4)

types of unlawful discrimination, explaining direct and indirect discrimination, harassment, instruction to discriminate, victimisation, exceptions and positive action; (5) reasonable accommodation, setting out the employers' obligation and the criteria for determining 'disproportionate burden'; (6) complaints procedures, setting out the competent bodies and sanctions foreseen in the law and the reversal of the burden of proof. A list of disability organisations members of the confederation KYSOA is provided in the Annex.

Internet link source and additional information : The Code is available in Greek at the equality body's newly constructed website at http://www.no-discrimination.ombudsman.gov.cy/sites/default/files/kodikas_gia_diakriseis_logo_anapirias_ergasia.pdf