



NEWS REPORT

Date: 20 December 2009
Expert: Kádár, András
Title: Actio popularis claim against bar seeking young female bartenders
Country: Hungary

Context

Issue at stake: Whether age is a genuine and determining occupational requirement with respect to jobs requiring physical endurance

Ground of age

discrimination:

Source: national equality body

Field: employment

Legislative provisions: Articles 8, 20 and 22 of Act CXXV of 2003 on Equal Treatment and the Promotion of Equal Opportunities

Content

Case: A human rights NGO initiated an *actio popularis* case before the Equal Treatment Authority (Hungary's equality body) against a bar seeking a young female bartender in a newspaper advertisement.

Decision of the Authority: The owner of the bar tried to exempt the differentiation by claiming that they wished to employ a young person because the job requires significant physical endurance, and a woman because guests are more willing to frequent a place if they are received by a nice and kind person. In its decision 1054/2009, the Equal Treatment Authority established that the principle of equal treatment had been violated, and ordered that the decision establishing the fact of violation be made public. In the decision the Authority refused to accept either gender or age as genuine and determining occupational requirements for the job of a bartender.

Internet link source and additional information :

<http://www.egyenlobanasmod.hu/zanza/1054-2009.pdf>