



NEWS REPORT

Update of flash report nr: 128-SI-7 and 152-SI-8

Date: 15 July 2009
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Title: Discrimination Based on Political Opinion Found in Nomination of Equality Body
Country: Slovenia

Context

Issue at stake: Labor Inspectorate found discrimination in the procedure of nomination of the Advocate of the Principle of Equality, which is the equality body in Slovenia.

Ground of discrimination: of all grounds

Source: Labour Inspection decision

Field: Employment

Legislative provisions: Article 6 of the Employment Relationships Act

Content

Case: Pursuant the nomination of Mr. Domen Zupan as the new Advocate of the Principle of Equality on 4 September 2008, a non-selected candidate, Mr. Boštjan Vernik, filed a complaint to the Labor Inspectorate of the Republic of Slovenia. In the complaint he claimed that he was discriminated against on the ground of political opinion. He further claimed that he was more qualified for the position, while the selected candidate was less qualified, did not fulfill the requirements for the position and was selected upon the order of the Director of the Government Office for Equal Opportunities, solely on the grounds of being politically appropriate. Namely, the new Advocate, Mr. Domen Zupan, was in 2006 nominated as president of the local committee of Slovene Democratic Youth – the youth

organization of the ruling coalition party in the then government, Slovene Democratic Party.

Decision of the Labor Inspectorate: The Labor Inspectorate found that discrimination occurred in the nomination procedure of the Advocate. Consequently, inspection procedure was carried out against the responsible person – Ms. Majda Pučnik Rudl, Director of the Office of Equal Opportunities where the Advocate is based. As a result the Labor Inspectorate issued only an admonition, with justification that in accordance with the Employment Relationships Act the Labor Inspectorate does not have the competency to impose monetary fines on state bodies that violate the provisions of this Act. On the part of the complaint related to the lack of fulfillment of requirement for the position, the Labor Inspectorate declared itself not competent and assigned the case to the Inspectorate for the system of civil servants where the procedure is still on-going.