

## Legislation's knowledge as a tool of facing and handling discriminations at workplace

### A Good Practice Story from Athens, Greece

#### Introduction

Workplace discrimination is a behavior (or a set of behaviors) motivated implicitly or explicitly by the target's group membership, that ultimately has a negative impact on the target's job and/or career. Discrimination can be addressed in various forms including age discrimination, disability discrimination, sexual orientation, status as a parent, religious discrimination, national origin, sexual harassment, race, color, and sex. According to several researchs, migrants usually face discrimination at workplaces. Is there any effective tool that could be used in order to handle the discrimination against migrants care worker in the context of their working environment?

#### The Story of Michaela (Biographic Story)

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Michaela arrived in Greece when she was 20 and she is from Moldova. She has been working as a home care worker since her arrival, caring persons who are facing health or mobility problems due to aging.

*«I chose this job, mainly influenced by my family's background. My mother, worked as a care giver in Moldova and Greece, while my father has working experience as a nurse. Therefore, my family background has played a significant role in my job's preference. Regarding country's choice, I followed my parents to Greece, as they were living here even before I become overage. I had been already informed regarding the good economic situation in Greece, as the chances for job's employment.»*

### **The difficulties of adjustment**

*“To be honest, I expected that my adjustment to greek conditions would be easy due to my parents’ presence and stay in Greece. Not only my parents but also a few family friends of mine helped me to adjust to greek society’s mindset. On labour level, the difficulties I faced were many. The language matter was not so difficult, as my parents contribute to it and I participate in Greek language courses. The most significant difficulty was related to the discriminations I faced, especially during my first period in Greece.”*

### **Discrimination incidents and their causes**

*“All in all, the learning gaps and the language obstacles are significant problems for migrants care workers, as they face discriminations in the context of working place. Indeed, these were two of reason due to I faced discrimination, not only by patients but also by family members. I received derogatory descriptions related to the lack of knowledge of the Greek language as well as the lack of vocational education. It should be noted at this point that Michaela had attended various care courses in Moldova, which have not been recognized in Greece. But beyond these two reasons, I have been discriminated against because of my gender and origin. In fact, there was an incident in which I was criticized for coming from an Eastern European country.”*

### **The actions to handle the discriminations**

*“The truth is that home care workers, especially those who work illegally or uninsured, are not protected by a legal framework. However, for a while I also worked in a private care network for the elderly, where there were similar incidents of discrimination by other colleagues. In that case, I addressed the supervisor, pointing out the Greek legislation regarding discrimination in the workplace. Fortunately for me, he was an excellent professional who immediately settled any*

*issues that arose. More generally, however, discrimination in the workplace against migrant workers is not uncommon phenomenon in Greece.”*

### **The Covid-19 situation and a migrant care worker's expectations**

*“Care work is a difficult and demanding profession, especially during the Pandemic. Especially, those of us who work in home care are under financial pressure because on the one hand we cannot work at the frequency we worked due to the constraints, on the other hand there is not the same financial possibility from our employers (whether they are the same patients or their family members ), resulting in frequent delays. I believe that cultural differences play a role in care work, especially when it comes to people of different religions. As for my own expectations, they certainly include various parameters that will not only temporarily benefit immigrant caregivers, but will protect them from any abusive behaviors in their work environment.”*

### **The Greek and the EU Legislation referring to discriminations at workplaces**

Promoting the principle of equal treatment and combating discrimination on the grounds of race, color, nationality or ethnic origin, pedigree, religion or belief, age, marital or social status, sexual orientation, identity or in the context of **Law 4443/2016**.

**Law 4097/2012** establishes the legal framework for the implementation and promotion of the application of the principle of equal treatment of men and women in the exercise of independent professional activity.

**Law 3896/2010** establishes the legal framework for the implementation and promotion of the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and work.

At **EU level** The Employment Equality Directive prohibits discrimination based on religion, belief, disability, age or sexual orientation. Gender discrimination is covered by the 1979 Gender Equality (Social Security), 2006 (Work and Employment) and 2010 (Parental Leave and Self-Employment) Directives.