



European network of legal experts in gender equality and non-discrimination

NEWS REPORT

Date:	12 February 2015
Expert:	Pia Justesen
Title:	Board of Equal Treatment: Harassment in bank
Country:	Denmark
<u>Context</u>	
Issue at stake:	Harassment
Ground of discrimination:	Race and ethnic origin
Source:	National equality body: Board of Equal Treatment Decision No. 214/2014 of 10 December 2014.
Field:	Access to and supply of services
Legislative provisions:	Section 2, 3, 7 and 9 in the Act on Ethnic Equal Treatment.

Content

Case: A contacted his bank regarding a bank loan in March 2014. A is a refugee and has lived in Denmark since 2009. He is diagnosed with Posttraumatic Stress Disorder (PTSD) because of torture in his country of origin and he receives treatment for his illness.

He called the bank several times on the same day in March 2014 to ask questions regarding a particular loan. In the case, he argues that every time he called the bank, the advisor treated him in a racist way by refusing to talk English to him, by refusing to talk more slowly in Danish and by stating that he should learn Danish or move back to his home country.

The telephone conversations took place when A was at his language school, which was confirmed in writing by his teacher. A's psychologist furthermore described in her patient records that A was very shocked by the experience. After a meeting between A and a bank manager, the manager sent a letter expressing regret that A had met an un-polite attitude in the bank.

Before the Board of Equal Treatment, A claimed that he had been discriminated against because of his race and ethnic origin. The bank claimed that the advisor in question had not expressed herself in a racist or in any other degrading or discriminating way.

Decision of the Board: The Board refers to A's information about the content of the telephone-conversations and states that this information has been substantiated by the patient records from the psychologist, by the observation of the language teacher as well as by the content of the letter from the bank manager to A. On that basis, the Board concludes that A has established facts of possible discrimination in the form of harassment, reversing the burden of proof, and that the bank has not proven that no harassment of A took place in March 2014. The Board emphasized that the letter from the bank to A did not support the claim of the bank that the advisor did not express herself in a racist way. A was awarded a compensation of DKK 10.000 (€ 1350).

Internet link source and additional information:

<http://www.ligebehandlingsnaevnet.dk/naevnsdatabase/afgoerelse.aspx?aid=1555&type=Afgoerelse>