



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

### NEWS REPORT

<b>Country:</b>	Greece
<b>Title:</b>	Ratification of the Revised European Social Charter on behalf of the Greek Parliament
<b>Date:</b>	15 February 2016
<b>Expert:</b>	Theodoridis Athanasios
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Improvement of the level of protection against discrimination
<b>Ground of discrimination:</b>	Race/ethnic origin, age, disability
<b>Source:</b>	Legislation
<b>Field:</b>	Employment, education, social protection, social advantages, housing
<b>Applicable law:</b>	Law 4358/2016

### **Content**

#### **Law development:**

On January 14, 2016, the majority of MPs, through a plenary session of the Greek Parliament, approved Law 4358/2016<sup>1</sup> on the ratification of the Revised European Social Charter, signed by Greece on May 3, 1996. Concerning the protection from discrimination for young persons in the fields of employment and education, Article 7 introduces a minimum age of 15 years for the employment of young persons, subject to specific exceptions, and the minimum age of 18 years for admission to employment for occupations regarded as 'dangerous' or 'unhealthy' but without any further definition of the above terms. The same article bans the employment of children that are still attending compulsory education, as it would deprive them of the full benefit of their education; and limits the working hours of persons under 18 years of age. Finally, it forbids the employment of persons under 18 years of age in night work and ensures their special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work. There is no further definition of the term 'physical and moral dangers'.

Concerning the protection from discrimination for elderly persons, Article 23 entails the obligation to adopt appropriate measures that will enable elderly persons to remain full members of society for as long as possible, by means of adequate resources and provision of information about services and facilities available for them, as well as measures that will enable them to choose their lifestyle freely by providing housing suited to their needs, healthcare and services they may need regarding their situation/health.

Concerning the elimination of discrimination related to vocational training, Article 10 seeks to ensure the right of all persons to technical and vocational training. To this end, measures are aimed at offering grants that will facilitate the access to higher technical

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<sup>1</sup> Greece, Law 4358/2016 'on ratification of the Revised European Social Charter' (OJ 5 A/20.01.2016).

and university education, based solely on individual aptitude. It also foresees providing a system of apprenticeship and other systematic arrangements for training young boys and girls that will provide adequate and readily available training facilities for adult workers.

As for persons with disabilities, Article 15 seeks to ensure persons with disabilities, irrespective of age and the nature and origin of their disabilities, the effective exercise of the right to independence, social integration and participation in the life of the community. For this reason, Greece commits to introduce measures to provide persons with disabilities with guidance and vocational training, public or private, to promote their access to employment and to promote their full social integration and participation in the life of the community.

Concerning discrimination based on grounds of racial origin, Article 19 protects the rights of migrant workers and their families by ensuring their protection and assistance, particularly in obtaining accurate information, through the adoption of measures which will also secure treatment not less favourable than that of their own nationals (Greeks) for such workers.

**Key points of analysis:** The rights established by the ESC correspond to four thematic sectors: a) Employment, Vocational Training and Equal Opportunities, b) Healthcare, Social Insurance and Social Protection, c) Labour Rights and d) Protection of Children, Family and Migrants. The vulnerable groups protected by the Charter include, *inter alia*, persons with disabilities, elderly and young persons as well as legal migrant workers.

**Internet link source:** <https://www.e-nomothesia.gr/diethneis-sunthekes/nomos-4358-2016.html>

Last accessed 11/02/2016.