



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

### NEWS REPORT

<b>Country:</b>	Greece
<b>Title:</b>	Elimination of upper age limit in a call for applications of a Municipal Benefit Enterprise
<b>Date:</b>	14 July 2017
<b>Expert:</b>	Athanasios Theodoridis
<b><u>Context</u></b>	
<b>Issue at stake:</b>	Enforcement of equal treatment on the ground of age in the field of employment in the public sector
<b>Ground of discrimination:</b>	Age
<b>Source:</b>	National equality body
<b>Field:</b>	Employment
<b>Applicable law:</b>	Antidiscrimination Law 4443/2016 - Article 3, para 1 (c)

### **Content**

**Case development:** On 23/5/2017 the Greek Ombudsman published on its website its successful intervention as an equality body in a case that concerned age discrimination through the publishing of a call for applications of a Municipal Benefit Enterprise.

In 2016 a referral (No. 219866/36437/2016) had been submitted concerning the prerequisite of an age limit (up till 60 years) for anyone wishing to apply for a position on the educational-artistic staff (music instructors) of the Benefit Enterprise of the Municipality of Oropos (KEDO) through hourly-paid fixed-term contracts.

The Ombudsman, a body responsible for promoting the principle of equality, intervened at the time relevant for the case only in relation to violations of this principle by public authorities (Law 3304/2005, already replaced by Law 4443/2016). In this case it addressed the KEDO and highlighted that the introduction of an upper age limit as a prerequisite for employment or work is in general prohibited, and can exceptionally be permitted only under specific and strict circumstances and following a clear and exact justification.

It requested from the KEDO to examine 'lifting' this age limit, given that there is no specific reason which requires its preservation. KEDO, in October 2016, responded immediately to the Ombudsman's intervention, re-evaluated the call for applications so as to eliminate the age limit and established a new one at 67 years, which is the upper retirement age limit.

**Key points of analysis:** After realizing that the age limit was not duly justified and having taken into consideration the extension of the retirement age limit in the public sector, the public (municipal) organisation KEDO took all the necessary steps so as to rectify the relevant age discrimination.

**Internet link source:**

<https://www.synigoros.gr/?i=equality.el.imageworkpublic.429075>.