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FLASH REPORT

Country:	Denmark
Title:	Dyslexia and reasonable accommodation
Date:	22 November 2019
Expert:	Pia Justesen
<u>Context</u>	
Issue at stake:	Reasonable accommodation at a municipal job centre
Grounds of discrimination:	Disability
Field of application:	Employment
Source:	National equality body
Applicable law:	Section 1, 2a, 3, and 7 of the Act on Prohibition of Discrimination in the Labour Market etc.

Content

Case: The complainant was a job-seeking man who argued that he had experienced discrimination because of disability. The complainant had dyslexia and was therefore unable to use the computers at the job centre of a local municipality. The available computers did not have a dyslexia IT program installed. The job centre had told the complainant that he could use the computers at the library. There was, however, no agreement between the job centre and the library on the counselling of jobseekers.

Decision of the Equality Body: The Board found that the complainant's dyslexia constituted a disability covered by the Act. The Board argued that individuals with reading difficulties in the municipality in question did not have access to relevant IT equipment for job search. This group of individuals therefore had a disadvantage in comparison with other individuals regarding job search. The Board found that by referring the complainant to the library, the local municipality had not lifted the burden of proof that it had fulfilled its obligation to provide reasonable accommodation.

The Board concluded that discrimination because of disability had taken place and the complainant was awarded a compensation of DKK 20,000 (€ 2,675).¹

Key points of analysis: The decision illustrates the obligations to provide reasonable accommodation regarding access to employment. This obligation applies to anybody assigning employment.

¹ Board of Equal Treatment Decision No. 9872 of 25 September 2019. See: <https://www.retsinformation.dk/Forms/R0710.aspx?id=210649>.