



## **GENDER & EMPLOYMENT RELATIONS**

### **Special Report (art. 25, par. 8, of Law 3896/2010)**

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**Actions for promoting equal treatment between women and men**



## **Introduction**

In exerting its special competence in monitoring the implementation and promotion of the principle of equal treatment between women & men in employment, the Ombudsman notes stagnation and a repetition of already known problems and phenomena in recent years, which, in fact, tend to intensify.

Despite the rich and dynamic legal framework, deriving from the transposition and implementation of EU legal texts, (i.e. European legislation and case law), as well as the relevant implementation practices, have not yet been consolidated and further disseminated.

At the same time, the large majority of citizens remain not fully and/or functionally aware of labour rights associated with maternity and parenthood in general. The economic downturn and high unemployment rates have a serious negative impact, both by downgrading the seriousness and importance of gender equality violations and by discouraging relevant claims, under the threat of unemployment. Austerity measures have been taken without gender impact assessment, having a negative effect on both the quantity and quality of women's jobs. The imbalance between women and men in the labour market remains a serious issue. Women tend to be employed in low-paid sectors and professions. They encounter significant obstacles in accessing top-level jobs, mainly in the private sector. Maternity and parental statuses constitute a serious obstacle in the recruitment and evolution of the female labour force. Furthermore, women are often victims of multiple discrimination, as members of vulnerable social groups (e.g., immigrants, Roma, etc.).

However, the Ombudsman notes that this reduction and decline do not only happen in Greece. The global economic crisis has undermined the progress recorded over the last 20 to 30 years. At EU level, despite the pressure of women's organisations and civil society organisations in general, as well as the adoption of several resolutions by the European Parliament that call for a strong EU policy on gender equality, few things have changed over the last 5 years. At this point, it is worth noting the withdrawal by the European Commission of the revision proposal of the Pregnant Workers Directive, which had started in 2008, and the blockage by the European Council of the proposed Directive towards a better balance of women and men on boards of listed companies, (since 2013).<sup>1</sup>

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<sup>1</sup> <http://www.gsee.gr/2016/09/01/programma-drasis-tis-sinomospondias-efropaikon-sindikaton-gia-tin-isotita-ton-filon-2016-2019/>



Therefore, what is needed is a balance between preserving and increasing the employment of women, protection of their labour rights and their professional development and promotion, as well as respect of their private and family life. In order for that goal to be achieved, a commitment in the implementation of legislation is essential, together with raising awareness among employers as to the principle of the equal treatment, as well as an effective social intervention towards the consolidation of automatic reflexes.

## **PRIVATE SECTOR**

Employers in the private sector still consider pregnancy, maternity and family as negative factors for the employee. This mainly concerns women in a child-bearing age, whose unemployment reaches a rate of over 60%.<sup>2</sup> Phenomena such as “black” (unregistered) and uninsured employment, low-paid jobs, as well as the part-time and/or rotating jobs are frequently observed. All these lead women into a state of economic strain, while further weakening their demands for an equal remuneration, a balance between family and professional life, as well as their promotion in positions of responsibility and their participation in decision-making centres, etc.

A pregnancy announcement is usually followed by the employers’ efforts to end the employment, either by terminating the contract under the pretext of a serious reason, or by harassing the pregnant woman thus forcing her to resign, by attempting harmful changes of her employment contract/or by other forms of unequal treatment.

Also, when female workers are on maternity leave, they are not fully updated as to what happens at work, which often has negative repercussions: if the firm closes, is relocated or sold and changes ownership, they have to claim their legal rights, such as being hired by the new firm or get compensation for unlawful employment termination, after the end of the leave, when, often, there is no one left to seek redress from.

When female employees try to return to work after the end of their maternity or parental leaves, often employers, aiming at getting rid of workers in the period of maternity protection, lodge a unilateral ‘voluntary resignation notice’ with the Manpower Employment Agency, without the worker’s knowledge. This bogus orchestrated involuntary loss of employment, also leads to the loss of then unemployment benefit, since it is considered resignation and not employment termination.

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2 <http://www.isotita.gr/index.php/docs/2870>



Even in cases where female employees manage to keep their jobs, they encounter gender associated problems during their daily working routine, such as sexual harassment and harassment on grounds of gender and marital status.

The Ombudsman has also ascertained that a complaint to the Labour Inspectorate often proves ineffective, even if the Ombudsman proposes a fine imposition, on the grounds of equal treatment violation, because either the firm no longer exists, or its debts do not allow payment of the imposed fine.

Some indicative cases of discriminatory treatment due to maternity in the private sector are stated below.

### **Unfavourable treatment upon pregnancy announcement**

#### Pregnant Workers laid off

A female employee appealed to the Labour Inspectorate complaining for overdue salaries and remuneration due to overtime, as well as for non payment of the respective allowance for working during Sundays and public holidays. In addition, she protested for her employer's offensive behaviour towards fellow employees. Later, she lodged a second complaint because she was laid off during the maternity protection period and she requested that her dismissal be withdrawn. During the meeting at the Labour Inspectorate, the employer was informed about the prohibition of dismissal during maternity protection period, except in special cases, which the employer should be able to determine. The employer withdrew the dismissal (Case 197847/2015).

An employee working under an open-ended employment contract was dismissed after informing her assistant and replacement, as well as the company's accountant, about her pregnancy. She informed the company officially about her pregnancy and requested to be reinstated, but to no avail. During the meeting at the Labour Inspectorate, both the Ombudsman and the Inspector who handled the complaint informed the company of the prohibition of dismissing a pregnant worker, even if the employer is not aware of the pregnancy. However, the company stood its ground, arguing that the complainant was dismissed for straying from her obligations and for poor management of the company's affairs. Given the company's position, the Ombudsman suggested that the Labour Inspectorate should impose a fine (Case 213822/2016).



### Unilateral detrimental change of contract terms

Kindergarten teacher in a private nursery with an open-ended private law contract notified her employer of her pregnancy. The employer unilaterally modified her contract from open-ended to fix-term, without her consent. The Ombudsman suggested that a fine should be imposed (case 206784/2016).

## **Unfavourable treatment after returning from maternity and parental leave**

### Refusal to accept work offered

Female employed with a contract for rotating employment appealed to the competent Labour Inspectorate because, after her return at work from maternity leave, the employer did not take her back to work, with the justification that confidence had been lost. However, the company did not sue her, nor did it terminate her contract on serious grounds, thus being in default of accepting her services. Since failure to employ a mother after the end of maternity leave constitutes discrimination under Article 16 of Law 3896/2010, the Ombudsman suggested that a fine should be imposed (case 218183/2016).

A female clerk, employed through a programme of the Greek Manpower Employment Agency under an open-ended contract, lodged a complaint with the Labour Inspectorate against her employer because, after the end of her maternity leave, the employer asked her not to return to work, saying that remuneration would be paid only for as long as the programme, under which she was recruited, was running. The Ombudsman invited the parties for a peaceful resolution of the dispute, noting that the company is obliged to actual employment, something that stems from the very terms of said contract. However, the company continued to refuse employment, without terminating her contract. The Ombudsman's suggestion for a fine was accepted (case 195165/2014).

In another case, a clerical officer appealed to the Labour Inspectorate protesting that, after returning from maternity leave, she discovered that her employer's office had been shut down. The Ombudsman contacted the competent e-Service of the Ministry of Finance, asking for information on whether the company in question had indeed ceased to exist, as well as any other useful data. The Directorate replied that the company had not ceased its operations. However, the employer never appeared in the meeting before the Labour Inspectorate and the Ombudsman suggested that a fine should be imposed (case 213512/2016).



### Unilateral unfavourable contract modification

Assistant chemist, who had been working for 17 consecutive years in the same pharmacy, returned to work after maternity leave and was informed by the new owner of that the business had been relocated to another prefecture. Her former employer proposed her to continue offering her services to the new owner and she, in turn, appealed to the Labour Inspectorate and the Ombudsman. The Ombudsman concluded that the actions of the successor and new employer were contrary to the legal provisions about company's transfer and job protection of an employee after returning from maternity leave. As the successor employer did not shift its position, the Ombudsman suggested that a fine should be imposed, something that the Labour Inspectorate eventually did (case 204613/2015).

### Arranging a "voluntary" resignation

An employee complained both to the Ombudsman and the Labour Inspectorate because her employer sent a "voluntary" resignation on her behalf to the Greek Manpower Employment Agency (OAED), while she was on maternity leave (case 204266/2016), without her knowledge.

The provision on the shift of the burden of proof was used during the meeting between the parties at the Labour Inspectorate and the employer was required to prove that the employee actually resigned. Finally, the company re-hired the employee and recognised her period of absence from the company as a period of uninterrupted employment.

An assistant at a hairdressing salon stated that, upon returning to work after the end of her special maternity leave, her employer asked her to leave and told her that she would inform her about the exact time of her return to work. Subsequently, the employer filed a "voluntary" resignation on her behalf to the Greek Manpower Employment Agency (OAED), without the knowledge of the employee. A meeting before the Labour Inspectorate took place, where the parties expressed completely different views. The Ombudsman reserved its position and conducted its own investigation of the case. In the witness statements the employee's allegations were contrary to the allegations of the employer's witnesses. The Ombudsman concluded that, due to the increased protection provided to the employee by law, and also because the parties' relations were already disrupted and there was bad faith, the employee should have asked the police to record the employer's failure to accept the work offered by her, which she didn't. However, since the employee had not proof, the employer proved her position and, consequently, the unilateral declaration on voluntary resignation was accepted as not concealing a contract termination (case 198552/2015).



## **Employer's reaction to an employee's complaint**

An employee since 2007 in a company in a suburb of Attica, with an open-ended employment contract, was transferred to the centre of Athens, in accordance with a relevant term of the contract. She considered the transfer unfavourable, because of her family status (a child with a disability rate of 67 %) and requested its annulment for reasons of leniency. At the same time she also filed a complaint before the competent Labour Inspectorate. The Ombudsman asked the employer to prove that it had exhausted the principle of *ultima ratio* (i.e. last resort), and this particular working position could not be filled by another employee. The company informed the Ombudsman that it had filed a suit for defamation against the employee. Subsequently, it terminated the employment contract, without paying the legal compensation.

The Ombudsman informed the employer that article 14 of law 3896/2010 prohibits termination of an employment, when it constitutes the employer's reaction to the employee's complaint before a court or other authority. However, during the meeting which was held at the Labour Inspectorate, the employer did not prove that they had exhausted the principle of *ultima ratio*. On the contrary, the Ombudsman considered both the suit against the employee and the termination of her contract to be acts of revenge, because of her appeal to the competent authorities and recommended a fine against the company (Case 213458/2016).

A journalist in a municipal broadcasting company brought an action before the competent Labour Inspectorate. She complained, inter alia, that after winning a legal battle against her employer for failure to pay her for work completed, she was excluded from the payroll of November 2015, despite the fact that she was in a period of maternity protection. In the meeting held before the Labour Inspectorate, only the employee was present and informed the Inspector that she receive the amounts due to her the day before the meeting, but continued to suffer discriminatory treatment by the employer. For example, she was assigned tasks outside her area of expertise (e.g. video recording and photo shooting), and she was not given the free entry pass to the ring road as in the previous years. The Ombudsman recommended that the employer refrained from discrimination against the protected mother, paid her remuneration simultaneously with the rest of the staff and gave her immediately the free entry pass to the ring road (Case 210521/2016).



## **PUBLIC SECTOR**

The public sector has proved to be relatively more consistent than the private sector with the implementation of legislation, particularly with regard to civil servants. After eight years of work, the Ombudsman's proposals are finally upheld, partially or in whole.

However, despite the progress achieved, some types of problems remain unsolved and keep recurring: there is still lack of work life balance due to the fact that parenthood is stereotypically combined with mothers. Consequently, fathers experience problems in taking parental leaves, either paid or not.

As regards the uniformed personnel of the Army and Security Forces<sup>3</sup>, compliance is partial, mainly because of the increased staff needs, which prevent the administration of these agencies from giving emphasis to work life balance. The misinterpretation and non-implementation of European Directives continue, such as in the case of the unpaid leave of Law 4075/2012, which transposed the Directive 2010/18/EU. This leave, is either refused to a large part of employees, or, if granted, it is not regarded as working time despite the explicit wording of the Law. Large differences and divergence in the rights of workers with family obligations are allowed to persist, depending on the nature and duration of work or the administration unit. Furthermore, the Ombudsman notes that both male and female employees as well as public agencies have not yet sufficient knowledge of their respective rights and obligations in the area of equal treatment between women and men.

The following cases are indicative of discriminatory treatment in the public sector, mostly regarding work-life balance.

### **Civilian Staff**

#### **Recognition of maternity leave as working time for employees with fixed-term contracts**

An employee with successive fixed-term contracts in the Archaeological Agency, complained to the Ombudsman that the Ephorate of Antiquities where she worked, did not recognize her maternity leave as working time. As a result, this period was removed from her service time and did not get promotion points. The Ombudsman contacted the Ephorate of Antiquities and noted that the non-recognition of the maternity leave as working time is in breach with article 11 par.3

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<sup>3</sup> The Police, Fire Department, Hellenic Coast Guard





of the Presidential Decree 176/1977, as amended by the P.D. 41/2003 (case 213437/2016).

The employee's request was transmitted to the Ministry of Culture's Independent Department of Legislative Initiative and Parliamentary Control, which supported the Ombudsman's view. Finally, the employee's maternity leave period was recognized as working time.

### **Non-recognition of an unpaid four-month parental leave as period of teaching service for supply teachers**

Supply teachers in public schools, with fixed – term private law contracts, appealed to the Ombudsman again because the period of the unpaid four-month parental leave provided by Law 4075/2012 is still not calculated in their total length of service. The Ombudsman had dealt with the issue in the past and had asked the Ministry of Education for the implementation of legislation (Article 52 par. 2 N. 4075/2012). According to the law, the employees' time off from work due to this specific parental leave should be recognised as working time for the calculation of remuneration, for the granting of annual leave and holiday pay, for professional development, and for the calculation of damages for termination of contract. Furthermore, the Ombudsman had emphasized that violation of Articles 49-55 of Law 4075/2012 constitutes a breach of labour legislation and is punishable by administrative penalties. The Authority asked for the issue of a circular clarifying that the four-month parental leave of Law 4075/2012 is recognised as working time.

The Ministry submitted a request to the Legal Council of the State, which issued its Opinion no 145/2015, arguing that the supply teachers' time off from work due to four-month parental leave does not constitute educational service. The Ombudsman brought up the issue again to the responsible Minister, indicating that the non-recognition of the four-month parental leave as working time, not only is in direct breach of the law and the Council Directive 2010/18/EU, but also discourages female supply teachers from making use of that leave, despite the fact that they are entitled neither to the nine month parental leave provided for by the Civil Servants' Code nor to the special six month maternity leave provided by Article 142 of Law 3655/2008 (cases 189795/2014, 200302/2015, 215883/2016).

### **Granting the additional six month parental leave for the birth of twins in the form of part-time work**

A head of Division in a public service, after giving birth to twins, chose to make use of parental leave in the form of reduced working hours (art. 53 par. 2 of law 3528/2007). Subsequently, she



required from her department to also grant her the additional six month parental leave provided for the birth of twins in the form of part time work, because if she took the six month leave at once, she would lose promotion points and the benefit of her executive position after two months of leave (Article 18 par.2 of law 4024/2011). Her department never answered her request. The Ombudsman wrote to both the employee's department and the Ministry of Interior, stressing that the provision of Article 18. par. 2 of Law 4024/2011, according to which the benefit of an executive position may be suspended after 2 months' absence, has the effect of depriving working mothers in executive positions from their right to use maternity/parental leaves with a duration of more than 2 months, which constitutes discrimination. The Ombudsman proposed the granting of the additional six month parental leave alternatively in the form of reduced working hours. The proposal was approved by the Ministry of the Interior (case 209222/2015).

### **Single mother allowed to work on morning shift**

A single mother with a 5 year old child, working as a nurse in a Health Centre, asked her employer to allow her to work the morning shift from Monday to Friday, because of her increased family obligations. She also asked not to work on rotating shifts during nights, public holidays etc. She received a negative reply. The Ombudsman asked the Health Centre to take into account her family situation — provided that there was no shortage of staff— and to think of the possibility of employing her mainly in a morning shift from Monday to Friday and only exceptionally, in afternoon or night shifts on Sundays and public holidays. The Health Centre responded positively and the request of the employee was satisfied (Case 214017/2016).

### **Granting extra reduced working hours to a mother for the birth of her fourth child**

A mother of 4 children working for a Municipality, after the birth of her fourth child, instead of working reduced hours, took the nine-month parental leave and subsequently requested to extend her period of part time work for another 2 years, in accordance with the provisions of Article 53 par. 2 of Law 3528/2007, regarding the birth of a fourth child. Her employer refused to grant her extra period of part-time work on the grounds that she had made use of the 9 month parental leave for the fourth child instead of choosing to work reduced hours.

The Ombudsman argued that the right to work reduced hours after the birth of a 4th child does not depend on whether the parent had made use of reduced hours or —of a 9 month parental leave. I.e. it does not depend on the literal interpretation of the article, but on the legislator's intention to facilitate public servants with large families, who of course have increased family needs.



The only prerequisite for the extension of the period of reduced hours work, according to the law, is the birth of a fourth child. The Ombudsman also emphasized to the Ministry that other public services grant the extra period of reduced hours due to the birth of a fourth child, without examining which form the mother's parental leave had. The Ombudsman's opinion was accepted, the employee's request was re-examined and finally it was satisfied (Case 210127/2016).

## **Uniformed personnel**

Work life balance was from the beginning a priority for the Ombudsman, because men employed in this category were totally denied the right to parental leave, which constituted discriminatory treatment against them compared to female staff of these branches, as well as to male employees of the civilian personnel. The efforts of the Ombudsman focused on the substantial improvement of the existing framework, on which there is still great potential for further improvement.

### Granting parental leave to fire-fighters with five-year contracts

Fire-fighters with 5-year contracts, who wished to make use of the nine months parental leave (Article 98 of Law 4249/2014, which refers to Article 103a of Presidential Decree 3/2014), appealed to the Ombudsman, because their application were either rejected without justification or partially met. The Ombudsman addressed both the relevant departments and the Legal Service of the Fire Department, analyzing the current legislative framework. Legal Service sent the Ombudsman's letter to the Legal Council of the State whose relative opinion is expected (Cases 190717/2014, 212388/2016).

### Parental leave to fathers in the military, whose wife does not work

Fathers military officers complained to the Greek Ombudsman because Law 4210/2013 granted the opportunity to civilian and administrative personnel as well as public employees to take parental leave when their spouse is not employed, while this is not prescribed for the military (see previous complaints *Annual Report 2014*, p. 137). The Ombudsman pointed out to the Ministry of National Defence that excluding the father military from parental leave, when his wife does not work, constitutes direct discrimination on grounds of sex contrary to the existing provisions. The Ministry did not initially agree with the Ombudsman's point of view, but ultimately changed attitude and according to a decision of the Deputy Minister for National Defence, the father military officer is entitled to make use of the entire parental leave, even if his wife does not work (case 180871/2014).<sup>4</sup>

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<sup>4</sup> [http://www.synigoros.gr/?i=isotita-ton-fylon.el.if3\\_2\\_9meiomeno.361900](http://www.synigoros.gr/?i=isotita-ton-fylon.el.if3_2_9meiomeno.361900)



### Non-deduction of the six-month maternity leave from the nine-month parental leave

Military officers filed a complaint to the Ombudsman because he did not receive the whole nine-month period of parental leave he was entitled to, due to deduction of the six-month maternity leave received by his wife, who works in the private sector. The Ombudsman reminded the Air Force that, according to the document ref. number  $\Phi$ .400/9/81561/14.5.2013 from the Ministry of National Defence (Department of Human Resources), the special leave under Article 142 of Law 3655/2008, is a maternity leave granted exclusively to mothers and it is not considered to be equivalent to the parental leave of Article 53 of the Civil Code, therefore it cannot be deducted from the nine-month parental leave, because only similar leaves can be deducted from each other (i.e. parental from parental and not maternity from parental). Subsequently the petitioner's request was met (case 211656/2016). A similar case arose also at the Coast Guard, whose response is expected (Case 211386/2016).

### **Gender equality in pensions**

With regard to the question of the application of the principle of equal treatment between men and women as regards the requirements and age limits for retirement, the Ombudsman had addressed the General Accounting Office following a rejection of a pensioner's request to receive a pension on the basis of the favourable provisions applicable to the age limit, for the corresponding category of mothers, civil servants, who had minor children (see Annual Report 2015, p. 117). It has underlined in particular that, according to the established case law of the CJEU, the transposition of directives into national law is not exhausted by the adoption of the relevant legislative texts; on the contrary, Member States are bound to ensure that the relevant rules are properly implemented by the competent administrative authorities and ensure full effective and judicial protection of fundamental rights. The GAO has adhered to its rejection.

However, the Court of Auditors, to which the affected civil servant had appealed, issued the decision No 983/2016 (Division II), which accepted the implementation of favourable treatment of women who became entitled to a pension until 31.12.1997 also for men. Indeed, the reasoning of the Court includes the arguments put forward by the Ombudsman in his intervention.



## **SELF-EMPLOYMENT**

As far as self-employment is concerned, the problems of granting the maternity allowance introduced by Law 4097/2012 by the insurance funds remain, which is the only right acquired by this category of employees. In particular, the question of the granting the allowance to the self-employed who gave birth during the period between the issue of Law 4097/2012 and the publication of the relevant Joint Ministerial Decision (2012-2014), has not yet been resolved.

The Ombudsman received a number of complaints on the above issue and, by addressing the Ministries of Finance and Labour, Social Security and Social Solidarity, pointed out that the non-retroactive application of the JMC violates the principles of good administration, equality, legality, good faith and justified trust. He asked for the allowance to be granted retroactively, but did not receive a reply. Subsequently, the Ombudsman addressed the President of the Social Security Fund for the Independently Employed (ETAA) and asked to be informed of the fund's practice in the above cases. The institution replied that it rejected the relevant claims of insured persons, by decision of the Deputy Director of Illness, who then have the right to appeal to the Executive Committee in order for a judgment to be issued that constitutes an enforceable administrative act. (Cases 195595, 195607/2014, 196842, 198114, 199484, 199619, 199835, 199872, 200178/2015).

## **SEXUAL HARASSMENT**

In investigating these cases, the Ombudsman has dealt with the barriers already highlighted in special reports of past years, such as difficulty in gathering evidence of sexual harassment, an attempt to cover up the incidents on the part of the employer, regardless if complaints are directed against him or against another employee, fear and hesitation of victims to disclose the facts of sexual harassment, colleagues reluctant to support the alleged victims, fear of retaliation on the part of employers etc. (see *Annual Report 2015*, p. 122). Nevertheless, in some of these cases, the Ombudsman concluded that the sexual harassment had been proved. In several cases, following the intervention of the Ombudsman, the parties, on the basis of mutual concessions in order to avoid further exposure on either side, decided to settle out of court.



### **Establishing sexual harassment**

An employee in an enterprise complained to the competent Labour Inspectorate that she had repeatedly received inappropriate gestures and conduct as well as verbal and physical abuse by her employer, culminating in a grievous gesture which she suffered by her employer against her will, which led her to give up her work. The petitioner presented a print of relevant text messages from her mobile phone sent by her employer to her outside work hours. With these messages, which were written in a mood that could be described as intimate, but which also contained a touch of personal content, the employer invited the worker to a business trip.

The Ombudsman, by shifting the burden of proof as provided for by the relevant provisions, requested the employer to provide evidence that the person concerned had not been sexually harassed by him either at the workplace or outside the workplace (Article 24 Law 3896/2010).

Although the employer did not refuse having sent the messages, he did not accept the charge of sexual harassment and, in support of his allegations, provided solemn statement by which other workers denied his improper gestures to the worker. The Ombudsman was not convinced that the sexual harassment did not occur and recommended to the Labour Inspectorate the imposition of a fine (case 203199/2015).

In another case, a woman working as a midwife in a gynaecological clinic complained that she had been sexually harassed at her workplace by her employer, fact which, in her mind, was equivalent to termination of her employment contract on behalf of her employer. In order to establish proof witness testimonies were taken (unsworn). The employers' side produced sworn statements of workers at the medical centre, which questioned the truth of the complainant's allegations. The witnesses of the employer denied that the employer's behaviour towards the employee was offensive. Furthermore, the employers' side pointed out contradictions in the worker's behaviour. From the data collected, the testimonies of witnesses and other documents, it was not possible to establish the alleged discrimination on grounds of sex to the detriment of the complainant. However, the Ombudsman pointed out to both parties that the line between intimacy and indecency are often fluid and can create misunderstandings in the workplace with adverse consequences for labour relations (case 201208/2015).

### **Complaint withdrawal due to settlement**

An employee of an enterprise complained to the Labour Inspectorate that during her work she was repeatedly exposed to inappropriate behaviour falling within the scope of Article 2 No 3896/2006 (broadly speaking, sexual harassment) by her employer because of her sex. The



Ombudsman received unsworn statements by witnesses proposed by the employee and addressed the employers asking for explanations, since under Article 24 of Law 3896/2010 the employer bears the burden of proof in cases of sexual harassment. The employee's side advised the Ombudsman that an extrajudicial settlement had been reached and the complaint was withdrawn.

**ACTIONS FOR THE PROMOTION OF EQUAL TREATMENT BETWEEN WOMEN & MEN**

Participation in the training programme of the National School of Public Administration for newly recruited civil servants in health services with regard to gender issues in public administration.

Participation in the drafting of the Equal Pay Manual prepared by Equinet.