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Seeking effectiveness

Remedies and sanctions in discrimination cases

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Seeking effectiveness remedies and sanctions in discrimination cases

The judge's powers in cases of discrimination

- discretionary intervention

effective, dissuasive and proportionate

- Incisive intervention

set of remedies to eliminate discrimination in current affairs

and to prevent it in the future

Powers of the court to achieve equal treatment

- Order to stop the discriminatory conduct and to remove its effects
- Annul discriminatory acts (private or public measures)
- Compensation for pecuniary or non-pecuniary damage (sum to be quantified as compensation and deterrence)
- Ordering a removal plan to the offender

Damage compensation

- The case of Ryanair's anti-union clause
(Supreme Court judgment no. 20819/2021)
- The case of damage caused by the abusive repetition of fixed-term contracts for civil servants
(Supreme Court Judgment No. 5072/2016)

Removal plan

- The case of the change in the working hours of logistics workers that discriminated against female workers who are mothers of minor children
(Court Decree of Bologna 31 December 2021)
- The case of the Regional Law and its regulation that discriminated against non-EU citizens for public housing subsidies
(Constitutional Court Judgment No. 15/2024)