



This training session is funded under the 'Rights, Equality and Citizenship Programme 2014-2020' of the European Commission.

- PWD are disadvantaged group: poverty, exclusion, prejudice, but only recently recognised victims of discrimination
- CRPD 2006, EU Charter, FED 2000/78/EU



- CRPD: long-lasting impairment, inter-action with social barriers, possible limitations in relation to all areas of life
- EU law: long-lasting impairment, inter-action with social barriers, possible limitations in relation to professional life

- **Chacon Navas**, C-13/05 (limitation in prof life resulting from impairment)
- **Coleman**, C-303/06 (disability of dependent child)
- **Ring and Werge**, C-335 and C-337/11 (limitations resulting from impairment in interaction with barriers which may hinder full and effective participation in prof life)
- **Kaltoft**, C-354/13 (limitations in professional life in general, not work concerned)
- **Z**, C-363/12 (inability to have a child does not limit ability to work)



REASONABLE ACCOMMODATION FED 2000/78/EU ARTICLE 5

- Special disability-related concept
- Insufficient to disregard disability
- Substantive equality
- Not full accessibility
- Not positive action measures
- **Individual needs**



REASONABLE ACCOMMODATION

- Appropriate measures (recital 20)
- Ring and Werge, C-335 and C-337/11:** reduced working hours, other working tasks
- Not essential functions (recital 17)
 - Not disproportionate burden (recital 21)
 - Pay?
 - Dialogue required on needs of employee

THE DANISH
INSTITUTE FOR
HUMAN RIGHTS



EUROPEAN COURT OF HUMAN RIGHTS

- Glor v Switzerland, 30 April 2009 (military service and penal tax)
- IB v Greece, 3 October 2013 (HIV)
- Çam v Turkey, 23 February 2016 (violation, reasonable accommodation, blind to musical academy)