

Profile of Partner Equality Body

Name:

Ombud for Equal Opportunities

Address:

Judenplatz 6, 1010 Vienna
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website www.bmgf.gv.at

Regional Ombuds for Equal Opportunities between women and men:

Styria

Europaplatz 12, 8020 Graz
Tel. +43 316/720590
Fax +43 316/725090-4
E-Mail: graz.gaw@bmgf.gv.at

Upper Austria

Mozartstraße 5/3, 4020 Linz
Tel. +43 732/783877
Fax +43 732/783877-3
E-Mail: linz.gaw@bmgf.gv.at

Carinthia

Feldkirchnerstraße 4, 9010 Klagenfurt
Tel. + 43 463/509110
Fax + 43 463/509110-15
E-Mail: klagenfurt.gaw@bmgf.gv.at

Tyrol-Salzburg-Vorarlberg

Leipzigerplatz 2, 6020 Innsbruck
Tel. +43 512/343032
Fax +43 512/343032-10
E-Mail: ibk.gaw@bmgf.gv.at

Date established:

1991

Mode of establishment:

Legislation

Equal Treatment Act; Act relating to the Ombud for Equal Opportunities and the Equal Treatment Commission BGBl. 66/2004

Status:

Government agency

Independent officer within the Federal Ministry of Health and Women

Mandate / objectives:

The Act relating to the Ombud for Equal Opportunities and the Equal Treatment Commission (ETC) sets out the area of authority of the Ombud as follows:

- to provide individual support and legal representation (before the ETC) to victims of discrimination in the sense of part I (gender), part II (age, sexual orientation, ethnic origin, religion and belief at work) and part III (ethnic origin beyond work) of the Equal Treatment Act (ETA);
- to negotiate with employers/institutions on behalf of the victim on the basis of the legal right to obtain relevant information from the employer/head of institution and/or the shop steward;
- to pass cases on to the ETC when the Ombud concludes that unlawful discrimination has taken place; the ETC then has to start its legal procedure;
- to take part in the meetings of the ETC with the right to speak and ask questions;
- to raise a claim in court in case the Ombud does not agree with the ETC's decision;
- to report independently to the National Assembly on its observations and make recommendations (e.g. for further amendments of the ETA);
- to undertake independent research on discrimination issues;
- to inform the public in general and especially relevant target groups on all issues related to the work of the Ombud and equality issues.
- to spread information about successful cases and possible applications of the ETA through adult education;
- to assist employers/institutions to establish and develop equality action plans and/or any other necessary action to avoid legal consequences;

(the last three issues are not part of the legal provisions but follow from interpretation of the law)

Grounds of Discrimination covered:

Central office: gender, age, sexual orientation, ethnic origin, religion and belief

Regional offices: gender

Competences / responsibilities:

1. Legal advice and representation
2. Information, promotion, awareness-raising

Main activities:

- Counsel and support people feeling discriminated against
- Obtain information from employer and/or works committee (shop steward)
- Negotiate informally with employers concerning how to eliminate discrimination
- Pass cases onto the Equal Treatment Commission
- Take part in the Equal Treatment Commission as experts
- Investigate on behalf of the Equal Treatment Commission (fact-finding mission)
- Inform the local authority about job advertisements
- Report annually to the national assembly about the work and the observations of the Ombud
- Inform the public about the Equal Treatment Act and precedents decided by the Equal Treatment Commission.
- Conclude voluntary agreements to carry out the Equal Treatment Act
- Draw up action plans/programmes for the advancement of women
- Develop codes of practice (e.g. to prevent sexual harassment)
- Address general equality matters
- Conduct independent research

Publications:

Annual Report (in German) available on www.bmgf.gv.at

Contact head office for the Austrian Casebook containing:

- applications to the equal treatment commission for the private sector
- applications to the federal equal treatment commission for the civil service
- labour court decisions
- summary of area of authority

Management:

Head of the Office of the Ombud for Equal Opportunities

Nomination of senior staff and board:

Appointed by the Minister of Health and Women. Appointment carries no limitation but is revocable.

Number of Staff:

20

Budget:

Staff civil servants covered by the Federal Ministry of Health and Women; € 40.000 for information (2005)

Accountability:

Report to Parliament every two years.

Project contact person:

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