



Dresden.
Dresdner

General Act on Equal Treatment (German abbreviation: AGG)

Information and advice

General Act on Equal Treatment

Objective and protected characteristics

The General Act on Equal Treatment (AGG) was passed on 14 August 2006.

„The purpose of this Act is to prevent or to stop discrimination on the grounds of race or ethnic origin, gender, religion or belief, disability, age or sexual orientation.“¹

The AGG protects people against discrimination on the grounds of the following characteristics:

- Gender: women, men, trans or intersex
- Sexual orientation: homo, hetero or bisexual
- Age: young and old people
- Disability
- Race/ethnic origin
- Religion/world view

Types of discrimination

The AGG protects people who are discriminated against because of one of the characteristics mentioned in the AGG. The AGG differentiates between direct discrimination, indirect discrimination, harassment and sexual harassment.

¹General Act on Equal Treatment of 14 August 2006 (BGBl. [Federal Law Gazette] I p. 1897), most recently amended by Article 8 of the law of 3 April 2013 (BGBl. I p. 610).

Protection of AGG in the workplace

The AGG protects the following persons in the workplace:

- Employees and applicants
- Apprentices and interns
- Homeworkers and those equal in law to homeworkers

The following persons must adhere to the Act:

- Employers
- Employees
- Third parties who have concluded a contract with the organization (such as clients)

Rights of disadvantaged persons in the workplace

§ 13 (1) Right of appeal

Employees have the right to lodge a complaint with the AGG appeal body or other competent department in the firm, company or authority. Employers are required to examine the complaint and to inform the complainant of the result of the examination.

Prohibition of victimisation (§ 16 AGG)

Employers are not permitted to discriminate against employees who assert their rights under the AGG.

Right to protection against (sexual) harassment and the right to refuse performance (§ 14 AGG)

Employers are required to take suitable measures against harassment/sexual harassment in the workplace. If measures are not taken, the affected person has the right to refuse performance if this is necessary for their protection. However, this right should only be asserted after taking qualified legal advice.

Right to payment of compensation (§ 15 (1) AGG) and damages (§ 15 (2) AGG)

Both claims must be submitted before the competent industrial tribunal. It is important to note that the opposing party must be informed that the claim is going to be asserted within two months of the origination of the claim (§ 15 (4) AGG). After this, a time-limit for commencing proceedings of three months applies.

Protection of AGG in a private context

The following persons must adhere to the Act:

- Operators
- Businesses
- Employees
- Third parties

Rights of disadvantaged people in a private context

§ 21 (1) Right to demand that discrimination be stopped (§ 21 (1) AGG)

Persons who discriminate against others are required to stop taking discriminatory measures (such as refusing access to business premises), or to eliminate barriers.

Right to payment of compensation and damages (§ 21 (2) AGG)

Both claims must be submitted before a court. It is important to note that the opposing party must be informed that the claim is going to be asserted within two months of the origination of the claim (§ 15 (4) AGG). After this, a time-limit for commencing proceedings of three months applies.

AGG advice centres

Advice on AGG in Rathaus (city hall) Dresden

There has been an AGG advice centre in the city hall since 2018. It is the first place for the citizens of Dresden to go for advice on this issue.

We offer:

- Information about the AGG
- Initial assessment of your discrimination case
- To put you in touch with suitable contact persons
- Anonymous advice if required

Contact:

Büro der Gleichstellungsbeauftragten

Dr.-Külz-Ring 19, 01069 Dresden, 2/126

Tel.: + 49 (0) 3 51 4 88 22 67

Email: gleichstellungsbeauftragte@dresden.de

www.dresden.de/gleichstellung

Other AGG advisory services

Saxony Anti-Discrimination Office

Regional Branch Dresden

Seminarstraße 2, 01067 Dresden

Tel.: + 49 (0) 35 1 48 19 81 37

Email: dresden@adb-sachsen.de

www.adb-sachsen.de

Federal Anti-Discrimination Agency

Kapelle-Ufer 2, 10117 Berlin

Tel.: + 49 (0) 30 1 85 55 18 55

Email: beratung@ads.bund.de

www.antidiskriminierungsstelle.de

Web credits and legal info

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