

PODCAST 3

The nine protected characteristics



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There are nine protected characteristics. It is against the law to discriminate against someone because of:

1. Age
2. Disability
3. Gender Reassignment
4. Marriage and Civil Partnership
5. Pregnancy and Maternity
6. Race
7. Religion or Belief
8. Sex
9. Sexual orientation

The European Union has a legal framework in place to promote equality and non-discrimination. All Member States have transposed this into national law. However, significant proportions of people in the European Union experience discrimination, inequality, and social exclusion today, at school, in the workplace or in their social life.

Any discrimination based on the protected characteristics is prohibited. Within the scope of any discrimination on grounds of nationality shall be prohibited. This right that any discrimination based on grounds of nationality is included in in article 21 of the Charter of Fundamental Rights, which can be broken down into various European Union directives:

- Directive 2000/43/EC against discrimination on grounds of race and ethnic origin.
- Directive 2000/78/EC against discrimination at work on grounds of religion or belief, disability, age, or sexual orientation.
- Directive 2006/54/EC supporting equal treatment in matters of employment and occupation.
- Directive 2004/113/EC supporting equal treatment in the access to and supply of goods and services.

The Protected characteristics in Ireland slightly differ from the ones specified by the EU.

They include:

1. Gender
2. Civil Status
3. Family Status
4. Sexual Orientation
5. Disability
6. Age
7. Race
8. Religion
9. Membership of the Traveller community

In Ireland, equality law relating to the nine protected characteristics is mainly governed by the Employment Equality Acts (1998) and the Equal Status Acts (2000).

Ireland has a separate Equality Tribunal that investigates and adjudicates on complaints of discrimination. Ireland's equality legislation is to promote and protect equal opportunities and eliminate discrimination.

Protected characteristics are important for inclusion and diversity because they are the specific characteristics that are protected by anti-discrimination legislation, as well as because they identify groups of people who have historically faced discrimination or inequality. This aids in future policy making at a national or organisational level. By knowing the various ways in which discrimination can manifest you can take proactive steps to prevent it, such as policies or training, to combat against systemic discrimination that disproportionately affects marginalised groups. Organisations can create a space which values culture and uniqueness, which is particularly important in today's interconnected and diverse society.

Furthermore, being aware of these characteristics and the legal protections associated with them is important to ensure compliance with anti-discrimination laws. Implementing these standards at a high level within your organisation, constantly reviewing them, allows individuals to challenge their own biases and prejudice which promotes personal growth and lifelong learning, promoting the importance of upholding these fundamental rights for everyone.

Finally, such policies and laws mean individuals and institutions can be held accountable for their actions, facing appropriate consequences.

In summary, being aware of the nine protected characteristics and their regulations across the European Union is critical in combatting discrimination. They aid in promoting inclusivity and protect employees in not just the workplace, but their social lives. By implementing a high standard of internal policies across your organisation and supply chain, you help to create a more equitable and fairer environment where all individuals are treated with respect.