Complaint filed by S.K.P. against I.T.SCG d.o.o. for discrimination on grounds of family status in area of work and employment

The opinion was issued following the complaint of S.K.P. filed on her behalf and with her consent by her lawyer V.B. from B. against I.T. SCG from B. The complainant stated that she had been employed with I.T. for four years but while she had been on a childcare parental leave her employer had made her job position redundant. In its justification I.T. d.o.o. from B. stated that the scope of work and activities previously performed by S.K.P. were no longer necessary due to organizational changes brought on by the Rulebook on Job Organization and Systematization which became effective on 1 October 2014 and 21 November 2014. In the course of the complaints procedure it has been ascertained that pursuant to the amendments to the Rulebook on Job Organization and Systematization of I.T. d.o.o. from B. other employees, both men and women, as well as two female employees working on the same job position as the applicant, have all signed an employment termination contract with the employer. It has been ascertained that the applicant, like all other employees, had been offered to sign an employment termination agreement which she refused to do. Hence, following her return from the childcare parental leave and due to the fact that her job position had been terminated, S.K.P. had a termination of employment. The Commissioner for the Protection of Equality issued an opinion stating that making S.K.P. as redundant staff member of I.T. d.o.o. from B. and by terminating her employment contract No. 331/15 of 2 December 2015 following her return from childcare parental leave, I.T. d.o.o. from B. had not violated provisions of the Law on the Prohibition of Discrimination.