Complaint filed by organization R.C.M. against PUC City Sanitation for discrimination on grounds of nationality and religious belief in area of work and employment

No.07-00-207/2016-02 Date: July 25, 2016

**OPINION**

The opinion has been issued in the proceedings regarding the complaint of RCM, filed in the name and with the consent of B.M. from B. against PUC „City Sanitation“ headquartered in Belgrade, because of discrimination on grounds of nationality and religious beliefs. The complaint states that B.M has been engaged in PUC „City Sanitation“ since 2009 and that a employment contract has not been concluded with him yet, but that his engagement is based on some kind of outsource employment agreement that provides him with smaller income. He has raised the issue of his employment status with the managers on many occasions, but his appeals remained unanswered. Therefore, he thinks that the reason why he has not concluded a work contract yet is the fact that he is of Roma nationality and a Muslim. In reply to the allegations in the complaint, the Director of PUC „City Sanitation“ has stated that B.M has not been employed due to impossibility to employ all the workers hired, because of austerity measures and rationalization prescribed by laws binding the employer, and that since B.M. has been engaged, a labor contract has been concluded with one worker only, who on the other hand had been engaged for a longer period of time and achieved better performance. The Commissioner for Protection of Equality has ascertained that the complaint allegations and the relevant statement are mutually contradictory, whereas from the facts and evidence provided it could not be established that the reason why a labor contract has not been concluded with B.M. is in causal relationship with his ethnicity and religious beliefs. The Commissioner for Protection of Equality has given her opinion that in that particular case it has not been ascertained that PUC „City Sanitation“ committed the act of discrimination based on national affiliation and religious beliefs of B.M.