

What other forms of discrimination exist and why I need to know them



Discrimination is a complex phenomenon that takes various forms and manifests itself in many ways. To know when your rights are violated is the first step towards protecting yourself. Read about other forms of discrimination in the series of brochures *Protect yourself against discrimination!*

How to make a discrimination complaint and who to complain to?

You can file a discrimination complaint with a court or make a complaint to the Ukrainian Parliament Commissioner for Human Rights.

- Like any other human rights complaint, no particular form of discrimination complaint is required.
- It is important that you describe all the circumstances, name the violator of your rights, and provide your personal details.
- Bear in mind that anonymous complaints will not be reviewed.
- You can file your complaint online or by mail.

What can the Ukrainian Parliament Commissioner for Human Rights do to help me?

The Commissioner monitors compliance with the Law of Ukraine *On the Principles of Prevention and Combating Discrimination in Ukraine* and has the following functions:

- To review complaints against all forms of discrimination in different spheres of public life, in particular in private sphere;
- To monitor compliance with the non-discrimination principle, maintain records of discrimination cases, consolidate the data, and prepare annual reports;
- Provide expert opinions in discrimination cases at the request of courts.

The functions of the Commissioner go further but the main thing you have to remember is that you should make complaints against discrimination to the Commissioner!



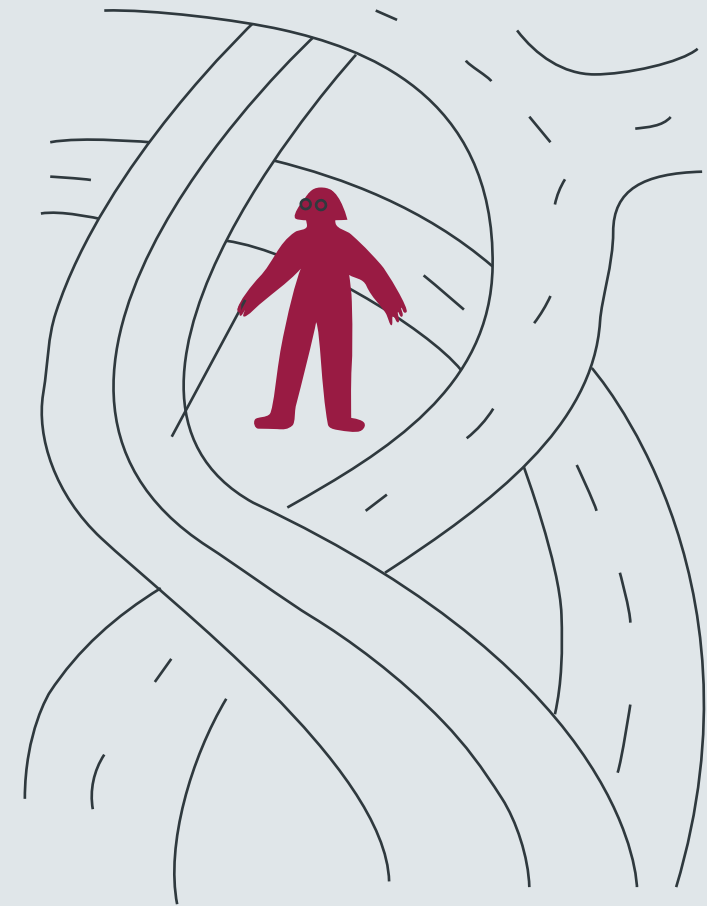
Ukrainian Parliament Commissioner for Human Rights

Address: 21/8 vul. Instytutska, Kyiv 01008
phone: 044-253-75-89, phone: 0800-50-17-20 (toll-free)
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Denial of reasonable accommodation

Protect yourself against discrimination! series



Reasonable accommodation means making necessary adjustments and modifications that do not cause undue hardships for employers (service providers, healthcare institutions, schools, and other organizations) to enable people with disabilities to enjoy the same rights as others*

There are three key requirements for reasonable accommodation: effectiveness, equivalence, and independence.

“Effectiveness” means that adjustments enable the person to engage in the same activities or have access to the same services as others.

“Equivalence” means that modifications create conditions that are identical or as close as possible to those accessible to people without disability.

“Independence” means that adjustments enable the person to engage in certain activities or have access to services without outside help.

Keep in mind that a wheelchair ramp leading to the entrance to a building is NOT a reasonable accommodation but an accessibility requirement of the national building code (the requirements of the national building code apply to residential buildings, educational, healthcare, and retail facilities, community centres etc.).

Reasonable accommodations are personal devices, adjustments, or modifications that are necessary for people with disability in particular circumstances.

* As defined by the Law of Ukraine On the Fundamental Principles of Social Protection of People with Disability

Examples of unlawful conduct

A school denies admission to a student with disabilities citing lack of accessibility in the building. The school administration takes no action to provide reasonable accommodation for the needs of persons with disabilities.

Examples of reasonable accommodation

A gym has turnstiles installed at the entrance through which wheelchair users cannot enter. Following a request from customers, the management replaces one of the stationary turnstiles with a portable one and instructs the gatekeeper to remove it when wheelchair users visit the gym.

– Reasonable accommodation for dyslexic employees (i.e. having a learning disability in reading) would be using oral texts instead of written assignments.

– When a person with hearing impairments visits a police station, a reasonable accommodation would be to either arrange that such person speaks to an officer skilled in sign language, or use the services of an interpreter, or use a special online interpreter app.

– Reasonable accommodation for an employee with a disability who commutes by car would be to reserve for them a parking space close to the entrance to the building.

If you recognize yourself or a person you know in these or similar situations, this gives food for thought.

Ask yourself a few questions:



Was I treated less favourably than others in the same situation?



Which of my protected characteristics could have been the reason for less favourable treatment?



Was there a legitimate reason for this different treatment?