

Sak 32/2008 – State health care institution did not discriminate because of age in connection with pay and work tasks. Evaluation in accordance with Chapter 13 of the Working Environment Act.

A 61-year-old man was of the opinion that he had been discriminated against because of age by his employer. Discriminatory treatment was related to pay conditions and work tasks.

Until he retired, he was employed as an electromechanic at a State hospital. He had received lower pay than three younger colleagues in the same section. The three colleagues had received extraordinary pay increases because the hospital was afraid they would leave.

He had also been ignored concerning work tasks.

However, the Tribunal did not find sufficient facts to indicate that the discriminatory treatment was due to age. The Tribunal referred to that worse treatment in itself, i.e. by lower pay increases or no work tasks, is not sufficient to indicate that the circumstances entail illegal discrimination under the Working Environment Act. In addition, facts are required for there to be a connection between the negative treatment and age.

The Tribunal could therefore not establish illegal discriminatory treatment.

The decision was unanimous.