

Information for Employees

GENERAL EQUAL TREATMENT ACT – GETA

Ladies and Gentlemen:

The General Equal Treatment Act obligates the employer in particular, but also the employees to certain duties to prevent or eliminate discrimination and harassment at the work place. Below we provide information on the goal of this act as well as on your rights and obligations that result from the provisions of the GETA.

The GETA prohibits the direct or indirect discrimination and harassment on the basis of **race** or on the grounds of **ethnic origin, religion or belief, age, sex, disability, or sexual identity**. This prohibition applies to us in our role as employer as well as to you as employee. The protection through the GETA is restricted to these characteristics. Discrimination or harassment for other reasons are not covered by the GETA.

The persons to be protected are all Local National employees at the agency. In the meaning of the act this includes the employees, persons employed for their vocational education, persons and applicants in a similar status as employees, as well as persons whose employment has been terminated.

Direct discrimination shall be taken to occur if a person for one of the above attributes is treated less favorably than another person is, has been, or would be treated in a comparable situation.

Indirect discrimination shall be taken to occur if apparently neutral provisions, criteria, or procedures can discriminate against persons for one of the aforementioned characteristics against other persons in a particular manner, though in certain cases exceptions may be acceptable. Not every unequal treatment constitutes at the same time a violation of the GETA. In individual cases, a distinction may be justified based on the factual purpose or the occupational requirements.

Harassment is the discrimination in the meaning of the GETA if unwanted behavior that is related to one of the aforementioned attributes or an unwanted conduct of a sexual nature have the purpose of or effect of violating the dignity of the affected person and if an environment is established that is characterized by intimidation, hostility, humiliation, degradation, or insult.

As employer, in the framework of the total employment relation we are obligated to execute the required preventive as well as retroactive measures to protect our employees from discrimination in the meaning of the above mentioned attributes; i.e. we have to make sure that on the one hand we as the employer do not discriminate against our employees, and on the other hand that our employees are not subject to discrimination through other employees or third parties such as customers.

Likewise, you as employees have to heed the provisions of the GETA and hence the prohibition of discrimination; i.e. you must neither discriminate against nor harass your coworkers. We will make sure that identified violations will be punished severely. In particular, depending on the seriousness of the misconduct you must expect the following consequences:

- Admonition
- Letter of Reprimand
- Transfer
- Termination, possibly without notice!

Therefore, in your own interest you absolutely have to refrain from discriminating and harassing as you possibly risk the loss of your job.

If you are affected you may officially file a complaint with our personnel office which also performs the duties of the internal complaints department. In accordance with our obligation pursuant the GETA we will clear up the facts of the case and initiate the required and suitable measures. As far as it is required and possible we will treat your complaint confidentially. Of course, you may also trustingly turn to your employees' representation, i.e. the Works Council and other representatives at your agency such as the Severely Handicapped Employees' Representation.

Additionally, you may request support with the Anti-Discrimination Associations and the Federal Anti-Discrimination Office (Alexanderstraße 3, 10178 Berlin, respectively P.O. Box, 11018 Berlin).

In case of (sexual) harassment at the workplace you as the affected person have also the right to cease working, provided that we as the employer do not initiate any or only insufficient measures to end the (sexual) harassment after you have notified the complaints department of the harassment.

In case of a violation of the prohibition of discrimination, the employer has to compensate the employee for the resulting material damage and to provide a compensation for damages that are not pecuniary losses. However, this only applies if the employer can be faulted with a violation of obligations. A claim by the employee based on such circumstances must be asserted in writing with the employer within a period of 2 months.

Employees who make use of the above rights or who refuse to follow a directive by the employer that is in violation of the prohibition of discrimination must also not be discriminated against just as persons who support affected employees in the utilization of their rights.

For further information and answers to your personal questions, please contact your personnel office during the regular office hours. There, you'll also find the full text of the GETA for perusal.

Questions about the matter may be addressed to the Civilian Personnel Flight, Non-US section, phone 06371-47-5365/7153 or DSN 480-5365/7153.