



Date 11-04-2019

MEDIATION BRIEFING

Fine imposed on enterprise for the dismissal of a seropositive employee

A private company refused to accept back to work an HIV carrier, after his return from long-term sick leave.

As it appears from the Findings Report issued by the Ombudsman, the Authority, having evaluated the evidence brought to its attention by the two parties, concluded that the termination of the employee's employment contract was the result of his illness, as the employer had not proved that he was not aware of the health problem and failed to give adequate reasons for firing the employee.

In view of the above, the Ombudsman found an infringement of the non-discrimination provisions and recommended the imposition of the administrative penalties provided for. The competent Labour Inspectorate imposed a fine on the employer.

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