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# Equal treatment (rules prohibiting discrimination in the workplace, rules on equal pay for men and women and equal pay for employees on fixed-term or under permanent employment contracts)

Heruntergeladen am 02.07.2025

<https://fimportal.de/xzufi-services/102837997/B100019>

Modul	Sachverhalt
Leistungsschlüssel	99154063000000
Leistungsbezeichnung I	Equal treatment (rules prohibiting discrimination in the workplace, rules on equal pay for men and women and equal pay for employees on fixed-term or under permanent employment contracts)
Leistungsbezeichnung II	Equal treatment (rules prohibiting discrimination in the workplace)
Typisierung	11 - SDG: Allgemeine Rechte und Pflichten
Quellredaktion	Bund
Freigabestatus Katalog	unbestimmter Freigabestatus

Modul	Sachverhalt
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	Leistungsobjekt
Leistungsgruppierung	SDG allgemeine Rechte und Pflichten (154)
Verrichtungskennung	
SDG-Informationsbereich	Gleichbehandlung (Vorschriften gegen Diskriminierung am Arbeitsplatz, Vorschriften zur gleichen Entlohnung für Männer und Frauen, gleiche Entlohnung für Beschäftigte mit befristeten oder mit unbefristeten Arbeitsverträgen)
Lagen Portalverbund	Personal finden (2030100), Personal einstellen (2030200), Schwangerschaft und Elternschaft (2030600)
Einheitlicher Ansprechpartner	Nein
Fachlich freigegeben am	22.12.2022
Fachlich freigegeben durch	Federal Ministry for Family Affairs, Senior Citizens, Women and Youth
Handlungsgrundlage	General Act on Equal Treatment <a href="https://www.gesetze-im-internet.de/agg/">https://www.gesetze-im-internet.de/agg/</a> <a href="https://www.gesetze-im-internet.de/englisch_agg/">https://www.gesetze-im-internet.de/englisch_agg/</a>
Teaser	This section provides further information on the subject of equal treatment.
Volltext	<p>Rules prohibiting discrimination in the workplace</p> <p>The General Act on Equal Treatment (AGG) entered into force in 2006.</p> <p>It protects against discrimination on the grounds of:</p> <ul style="list-style-type: none"> <li>• race</li> <li>• ethnic origin</li> <li>• gender</li> <li>• religion</li> <li>• belief</li> </ul>

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- disability
- age
- sexual orientation.

The AGG is mainly applied in two areas of life. One of these is protection in working life, which applies to:

- job vacancy notices
- application documents
- selection procedures
- discrimination in education and training
- promotion
- dismissal.

The other branch is protection in everyday life:

- so-called mass transactions
- this includes purchases, train and bus journeys, and visits to restaurants, discothèques and hair salons.

The AGG also provides protection for people when they are looking for a place to live or dealing with insurers and banks.

Harassment is also a form of discrimination. Harassment is defined as unwanted conduct in relation to a particular ground of discrimination with the purpose of violating a persons dignity and creating an intimidating, hostile, degrading, humiliating or offensive environment. This includes sexual harassment.

The AGG sets out rights and obligations for both employers and employees. The entire job application process, starting from the vacancy notice, must be free of discrimination. Employees already in employment have a right to protection against discrimination. They can claim compensation or damages and file a discrimination complaint with their employer. To this end, all companies must set up a complaints body, and all employees must be informed of the existence of this body. Employers must ensure that any form of discrimination is prevented. They are also required to take action against employees who discriminate against others. Possible measures range from a

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transfer or a warning, right up to dismissal.

If the person in question does not put a stop to the discriminatory behaviour, the victim must assert their rights in court. Compensation and damages must be claimed within 2 months. Under civil law, individuals are also entitled to demand that the discrimination be ceased in future. However, only a small number of discrimination cases are settled in court; in most cases an amicable settlement can be reached.

The Federal Anti-Discrimination Agency can offer initial advice over the phone and in writing. Anyone who feels that they have been discriminated against can contact the Anti-Discrimination Agency for free and confidential advice. The consultation team will then inform them about their legal rights, as well as possible claims and deadlines for making them. Moreover, advisers may refer the individual to specialist advisory centres in their area. Regional advisory centres are listed by location in the Federal Anti-Discrimination Agency Database.

Rules on equal pay for men and women

The Act on the promotion of pay transparency between women and men (Entgelttransparenzgesetz, EntgTranspG) entered into force on 6 July 2017.

Under the EntgTranspG, pay discrimination on the grounds of gender is prohibited. Women and men must receive the same pay for equal work or work of equal value.

The aim of the Act is to support women (and men) in better asserting their right to equal pay for equal work or work of equal value.

To achieve this objective, the Act provides for the following components:

1.

Employees working for employers that generally have more than 200 employees are entitled to know the

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criteria under which they are paid. The right to information covers:

- the criteria and procedures used to determine the level of remuneration for the employees work or for a comparable activity about which information is sought, as well as the level of remuneration for that comparable activity.

Information can be requested on up to two separate pay components, in addition to the average gross monthly pay.

1.

Private-sector employers that generally have more than 500 employees are encouraged to implement binding operational checks and procedures to ensure equal pay.

This is done with the involvement of business advocacy groups and awareness-raising among employees.

1.

The Act imposes a reporting obligation regarding the equal treatment and equal pay of women and men for employers that generally have more than 500 employees and are required to file annual reports under the Commercial Code.

Companies must report regularly on:

- measures to promote equality, and their effects
- measures to ensure equal pay, for example through the application of pay rules and work evaluation procedures.

The reports must be published in the Federal Gazette as an annex to the annual report.

## Erforderliche Unterlagen

## Voraussetzungen

Modul	Sachverhalt
Kosten	
Verfahrensablauf	
Bearbeitungsdauer	
Frist	
weiterführende Informationen	<ul style="list-style-type: none"> <li>• Regulations to prevent discrimination in the workplace</li> <li>• Rules on equal pay for men and women</li> </ul> <a href="https://bmfsfj.de/bmfsfj/service/kontakt">https://bmfsfj.de/bmfsfj/service/kontakt</a> <a href="https://bmfsfj.de/bmfsfj/meta/en/equality/gender-equality-policy-in-europe">https://bmfsfj.de/bmfsfj/meta/en/equality/gender-equality-policy-in-europe</a> <a href="https://antidiskriminierungsstelle.de/DE/Service/Kontakt/kontakt_node.html">https://antidiskriminierungsstelle.de/DE/Service/Kontakt/kontakt_node.html</a> <a href="https://antidiskriminierungsstelle.de/EN/we-offer-advice-to-you/we-offer-advice-to-you-node.html">https://antidiskriminierungsstelle.de/EN/we-offer-advice-to-you/we-offer-advice-to-you-node.html</a>
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	Gleichbehandlung (Vorschriften gegen Diskriminierung am Arbeitsplatz, Vorschriften zur gleichen Entlohnung für Männer und Frauen, gleiche Entlohnung für Beschäftigte mit befristeten oder mit unbefristeten Arbeitsverträgen), Equal treatment (rules prohibiting discrimination in the workplace, rules on equal pay for men and women and equal pay for employees on fixed-term or under permanent employment contracts)