

TACKLING MULTIPLE DISCRIMINATION IN GREECE

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IN GREECE**

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Tackling Multiple Discrimination in Greece

Dionysis Balourdos – Nikos Sarris
(Eds.)

This volume was issued in the framework of the research programme “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions”, which was funded by the European Union’s Rights, Equality and Citizenship Programme (2014-2020).



ATHENS 2018

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For more information see:

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Preface

In societies facing dire economic recession with the backlash politics being at the front stage, it is likely that members of vulnerable groups undergo the risk of social exclusion from public goods and services. They might also face long-term downgrading in the social hierarchy when deprived of the means of recovery. In Greece for example, over the last eight years or so, absolute poverty and the risk of poverty for single-parent families, children, the NEETs, and the less affluent have been increased. These are shocking and traumatic experiences with no less pertinent effects on the social body, with the less privileged being socially relegated in an irrevocable way.

All of the above are true insofar as discrimination takes place in more than one level and due to more than one ground. Age, income, sexual orientation, religion, education, race, ethnic origin, and disabilities may offer the ground for: a) separate or consecutive, b) additive or compound, and c) intersectional discrimination. During the current refugee crisis in Europe and elsewhere, as it is intertwined with the economic crisis, many thousands of people are suffering multiple discrimination, which is likely to leave indelible marks on their personal and collective identities. Notably, one should not only pay attention to the overt effects (i.e. poverty, social exclusion, unemployment, etc.) but also to the latent consequences of social discrimination; namely, to their emotional dynamics for individuals and collectivities alike. People, who are socially relegated due to a grid of social discrimination, find themselves under cross-pressures that convey a considerable affective cost. Humiliation, shame, embarrassment, guilt, fear, alienation, frustration, and anxiety are emotions involved in the process of dealing with the ensuing stigmatisation of these people who are striving to bridge the gap between their own social discrediting and dis-credibility.

Every now and then, bridging this gap becomes more and more difficult when specific types of discrimination are unintended consequences of individual or institutional action mostly coming from the majority group. Victimisation and self-victimisation are usual responses to this kind of plight and slights, which foster resentment and indignation against

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perceived wrongdoings. And this again is linked more or less with “cultures of poverty” and “underclass” identities and of course with social marginalisation.

Under these terms, I cannot help but think of a theoretical and policy orientation claim. First, maybe time has come to think about class once more and bring the issue of class configuration in contemporary societies at the central stage. This would not entail a “renaissance” of classical Marxist accounts, but more nuanced multilayer approaches to draw from different intellectual traditions (neo-Marxist, neo-Weberian, working class culture studies, and so on). Second, the proliferation of multiple discrimination, the rise of backlash politics, and the nurturing of reactionary styles of thought and political conduct call for the shaping and implementation of appropriate public policies able to respond effectively to the roots of social problems in an open democratic way.

Professor Nicolas Demertzis
EKKE Director

Introduction

The present volume is the result of the European Research Project “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions”, which was implemented from 5.12.2016 to 5.12.2018 by the National Centre for Social Research (EKKE), in collaboration with the Economic and Social Council of Greece (OKE), the University of Seville, the Hellenic Open University and the Region of Crete.

The aforementioned project was funded under the fourth priority of the Call “JUST/2015/RDIS/AG/DISC – Action grants to support national or transnational projects on Non-Discrimination and Roma integration” of the “Rights, Equality and Citizenship Programme (2014-2020)” of the European Commission, Directorate General for Justice and Consumers, European Union.

The project’s goal was to contribute to the research of the phenomenon of multiple discrimination in Greece by defining, exploring, and providing relevant data and policy recommendations. More specifically, it aimed to investigate the multiple discrimination that all vulnerable groups at risk of discrimination face by using a multi-method approach. Thus, mixed and innovative research methods were used in order to integrate target groups’ views and perceptions using a bottom-up approach, and to provide a comprehensive and clear picture of the situation concerning multiple discrimination in Greece.

The editors wish to thank all the members of the project team, both researchers and administrative staff, since the present volume constitutes the output of a collective research undertaking. The team was structured as follows:

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The current volume aims to present the phenomenon of multiple discrimination in Greece, particularly following Law 4443/2016 on the implementation of the principle of equal treatment and to illustrate the key dimensions of multiple discrimination, due to the fact that there is noticeable lack of both a common definition of multiple discrimination and a common way of dealing with this form of discrimination. Moreover, the goal is to focus on the way to counter-balance the effects of multiple discrimination, and to constitute a useful tool for policy-makers, legislators and public administration to perform significant changes towards the direction of equal access and treatment.

The book consists of ten chapters, divided in three thematic sections. The first section (chapters 1-3) presents a legal and social science approach to multiple discrimination, highlighting the theory, policies and research, and examining the legislative and regulatory framework for tackling the issue at an international, European and national level. The second section (chapters 4-7) analyses the findings from the field work elaborated by EKKE –qualitative and quantitative research–, introduces the methodological tool of “situation testing”, and describes an empirical investigation based on research data concerning multiple discrimination and inequalities. The third section (chapters 8-10) provides a discussion of the various aspects of multiple discrimination in healthcare and the labour

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market, and recommends the development of digital skills as a means to combat exclusion.

More specifically:

The first chapter titled **“Multiple discrimination from a social science approach: theory, research, and policies”**, written by E. Bericat, M. Camarero-Rioja, and M.L. Jiménez-Rodrigo, discusses a social science approach for tackling discrimination. Discrimination has until now been considered predominantly from a legal point of view. A social science approach promotes a process-oriented view of discrimination, involving every member of a social category or group. This approach did not only work with singular cases but mainly with risk factors that determine the likelihood of a member being discriminated against. It also provides the analytical keys to assess the adequacy of data for multiple discrimination analysis and to evaluate if the policies designed to fight against multiple discrimination and to eradicate it are coherent to achieve this goal.

The second chapter titled **“The Legislative Framework for Tackling Multiple Discrimination in Greece: Theoretical Approach, Best Practices and Results from Surveys”**, written by N. Sarris, introduces the phenomenon of multiple discrimination, refers to the types, and captures the evolution of the anti-discrimination law especially in the European Union and Greece, focusing mainly on legislation that aims to tackle multiple discrimination. It further aims to document the efficacy of implementing the legislative provisions, and highlights the results of the surveys concerning discrimination in the EU and Greece conducted by the European Commission (Eurobarometer) and the National Centre for Social Research (field research). Some data findings from the 7th wave of the World Values Survey are compared with those of other surveys. The research findings reveal how legislative provisions operate in action.

The third chapter titled **“The regulation of multiple non-discrimination in Greece”**, written by G. Amitsis, discusses the current regulatory framework to prevent and combat multiple discrimination within the domestic legal order, as laid down both

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in the Constitution and relevant international law applied in Greece. Moreover, it presents UN, Council of Europe and EU norms, and highlights decisions made by the European Court of Human Rights. Finally, it analyses the provisions of the new law 4443/2016, and its legal gaps.

The fourth chapter titled **“Preliminary findings of the survey on multiple discrimination in Greece”**, written by E. Tserpeli, offers details of the field research carried out by the National Centre for Social Research (EKKE), as well as information about the sample of participants from vulnerable social groups. More specifically, a field study was conducted to investigate the experience of multiple discrimination among vulnerable groups. The purpose of the research was to highlight the reasons, the fields and the implications of multiple discrimination with the aim to put forward proposals to improve the institutional framework, to change civil servants’ attitudes on issues of multiple discrimination and to raise awareness. In this chapter, the methodology for the quantitative part of the study is described and some descriptive results are presented.

The fifth chapter titled **“Vulnerable social groups and multiple discrimination in Greece: face-to-face interviews with six target groups in the Attica region”**, written by D. Grigoriadou, explores the experience of multiple discrimination in the program’s six target groups in the region of Attica. Particular attention is given to the way that the victims of multiple discrimination understand and give meaning to their own experiences and the way that they respond against multiple discrimination behaviours. For that reason, a qualitative research strategy by conducting 36 interviews has been carried out in combination with both the survey research and situation testing. It is concluded that all target groups have been discriminated against and treated unequally in relation to the rest of the Greek population. ROMA people, the Muslim ethnic minority and transsexual are the most discriminated against all fields.

The sixth chapter titled **“(Multiple) Discrimination in the Greek Labour Market: A pilot field experiment on recruitment”**, written by E. Georgakakou, uses situation testing to research multiple discrimination in order to contribute to the

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identification of such behaviours in real life situations of accessibility to the Greek labour market. Furthermore, this research constitutes an effort to explore and study situation testing's contribution to the investigation of multiple discrimination, in order to inform and update the conceptual framework for its study across Europe. The test consisted of pairs of candidates presenting themselves by phone to prospective employers in response to openings randomly sampled from advertised job ads. Pairs' characteristics were matched except from three common discrimination factors: i) gender, ii) nationality, and iii) age. The results indicate that the minority group faces lower access to employment than the corresponding probability for the majority group and thus it encounters employment discrimination and in specific cases employment multiple discrimination. The use of situation testing as a technique on identifying employers' multiple discriminatory behaviours is being confirmed as a challenge that requires more research.

The seventh chapter titled **“Multiple Discrimination and Inequalities: An Empirical Investigation”**, written by G. Papadoudis, attempts to contribute new empirical evidence calling for more fact-based investigation and more targeted policy intervention. The analyses are based on the inequality theory, as well as on new and reliable data provided by the National Centre for Social Research in Greece (EKKE) which conducted a field study specialised in experiences and perspectives of multiple discrimination. This article uses this dataset in order to explore similarities and differences among individuals who are part of vulnerable social groups, while also comparing them with individuals out of this particular sample. Within the inequality framework, different aspects of discrimination are examined in its self-perceived forms: single or multiple.

The eighth chapter titled **“Experiences of and Factors Contributing to Discrimination in Greek Hospitals, from the Perspective of Healthcare Users, Physicians, Nurses, and Hospital Administrators”**, written by M. Petraki and M. Matsaganis, examines the determinants of health disparities that

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disproportionately affect a range of populations, including women, individuals with low socioeconomic status, ethnic and racial minorities, immigrants, individuals who identify as LGBT, and those living with a disability. In many cases these disparities are associated with discrimination against people whom self-identify (or are assumed to identify) with one or more of the foregoing populations. The article, drawing on data collected through semi-structured interviews, administered face-to-face with healthcare administrators and healthcare providers in four (4) major hospitals of Athens, Greece (N=24), but also in-depth interview data from hospital patients (N=20), provides insight regarding perceptions and experiences of discrimination in the healthcare setting, identifies possible causes, and points to possible best practices. It is concluded with a discussion of how these findings can inform interventions to address causes of discrimination in hospitals and reduce health disparities.

The ninth chapter titled **“Age Discrimination and Active Labour Market Policies in a context of deregulation and economic crisis”**, written by O. Papadopoulos, examines the extent to which trainees experienced training vouchers as a positive experience leading to a viable career route. The findings support that employers broke their promise to provide meaningful training, using vouchers as part of their strategy to increase competitiveness and ensure survival by securing ‘free’ labour. Based on that, vouchers are estimated to be a contingent and very discriminatory employment form that reinforces and maximises low-pay jobs for young people in a labour market dominated by high flexibility, bad working conditions and very low-wages. The age of the participants proved to be an important factor since employers take advantage of the limited expectations and experiences of trainees, applying strategies that would probably face higher degrees of resistance by older and more experienced employees. In addition to that, the voucher was utilised as a socialisation process through which certain expectations and norms were constructed regarding trainees’ behaviour and performance at work.

Finally, the tenth chapter titled **“Developing digital skills as a means to combat exclusion”**, written by A. Kameas and B.

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Quarta, surveys the European initiatives to promote the acquisition of digital skills and presents three European projects as case studies of activities addressed to different target groups. In today's society that everyone needs to have a wide set of skills, knowledge and competences, including a sufficient level of digital competence, to access and progress in the labour market, and to engage in further education and training in a lifelong learning perspective, it is observed that almost half of the European population still lacks basic digital skills, thus facing severe risk of becoming excluded from the society, because the latter becomes increasingly digitised. It is concluded that the digital transformation of society can be achieved in an effective and inclusive way only if each and every individual member of society becomes digitally dexterous.

Athens, December 2018

The editors of the volume
D. Balourdos – N. Sarris

Chapter 1

Multiple discrimination from a social science approach: theory, research, and policies

*Eduardo Bericat**

*Mercedes Camarero-Rioja***

*María Luisa Jiménez-Rodrigo****

1.1 Introduction

Discrimination has been considered, until now, predominantly from a legal point of view. The contexts, the acts, the concepts, the subjects (perpetrators or victims), the needed reforms, the restitution or the remedies were mainly legal. Law was the basic reality from which we must interpret and act upon discriminatory actions. However, we must go beyond the law to better analyse and tackle discrimination. A social science approach must be applied.

A multidimensional approach to discrimination, understood as the study of the discriminatory configuration characteristic of the multidimensional social positions/identities, is essential to tackle discrimination. The discriminatory facts experienced by each multidimensional social position in a status order can only be fully explained with the assistance of diverse theories, by the contextual overlapping of various social structures, and by the actions of different mechanisms and filters that create unfair and adverse social selections.

Firstly, we propose a social science approach (statements 1 to 5), to develop a theoretical framework aiming to understand the explanatory mechanisms of the discriminatory facts grounded on specific multidimensional social positions (statements 6 to 10). Secondly, this chapter provides the analytical keys to assess the adequacy of data for multiple discrimination analysis (statements 11 to 15) and to evaluate if the policies, designed to fight against

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multiple discrimination and to eradicate it, are coherent to achieve this goal (statements 16 to 20).

1.2 A social science approach.

Statement 1: Discrimination is a social phenomenon and can only be completely understood from a social science perspective.

Theories of status stratification would explain discrimination as unjustified results from regular social processes by which societies generate a status order marking certain social categories or groups as more valued than others. Justice, law, and rights are essential components of discrimination. However, despite its undeniable relevance, traditional legal approaches focus on a limited part of the discrimination realm. We must be aware that unlawful behaviours, that is, unequal treatment, are just the tip of a vast iceberg.

Even in the legal field, actors note that social science research can play an important role in elucidating the complex discriminatory facts. Professor Sheppard argues that: “Social science research in sociology, cognitive sciences, and history, for example, has proven invaluable in helping us to understand the connection between the complex experiential realities of exclusion and grounds of discrimination, especially when the connection is not widely acknowledged in society” (Sheppard, 2011: 10).

Statement 2. The legal approach has an episodic view of discrimination. However, discrimination should be considered as a dynamic process that works over time in several different ways.

Makkonen strongly supports this point of view: “Much of the discussion on discrimination assumes that discrimination is something that occurs at a specific point in time within a particular field of life, and typically involves a limited number of individuals, i.e. the victim(s) and the perpetrator(s). “This view, which could be characterised as ‘the episodic view of

discrimination', is related to and probably derives from the field of law, where –for the purposes of determining liability– the identification of a specific legally meaningful event is crucial, as is the identification of particular complainants and respondents” (Makkonen, 2007: 17). This author indicates that “discrimination, and its impact on the lives of the individuals concerned and on the society at large, cannot be properly understood unless discrimination is viewed in its broader context and as a dynamic process that functions over time in several, often unexpected, ways” (Makkonen, 2007: 17). Also, “the predominant understanding of discrimination is one which focuses on single events that take place because of malevolent intentions” [...]. “The prevailing, or “common sense” understanding of discrimination is a formal juridical one, and reflects the usage of the concept especially in the field of criminal law. It focuses on single events where one or more persons are discriminated against on the basis of a prohibited ground (events-oriented approach). [...] “Some researchers have suggested that instead of this events-oriented approach, we should see discrimination in its historical and social context, i.e. as a process (process-oriented approach), due to which disadvantaged groups may become excluded or subordinated” (Makkonen, 2002: 5). A social science approach promotes a process-oriented view of discrimination, involving every member of a social category or group.

Statement 3. Unlike the legal perspective that considers only some specific types of discrimination, the social perspective must take all of them into account (individual and structural, intentional and unintentional, conscious and unconscious), in addition to their functional and emotional effects.

A legal and individualistic perspective tends to turn discriminatory actions into a mere question of perpetrators and victims, that is, into a situation in which only two individuals intervene. Furthermore, as we have noted before, this approach treats discriminatory facts as singular cases. This is a serious limitation no matter how important these famous cases may be.

In these legal cases, the focus of attention is mainly on particular perpetrators, rendering the groups or social categories that collectively uphold discrimination nearly invisible. The authors, inspired by a legal approach, define discrimination in a very restrictive way. They usually considered unlawful discriminatory actions committed by the perpetrators and the direct negative effects experienced by the victims.

Psychological theories have made essential contributions to the scientific knowledge of discriminating behaviour, be intentional or unintentional, conscious or unconscious. However, an individualistic perspective is unable to explain why certain individuals internally adopt social categorisations, stereotypes, prejudices, and perform discriminatory behaviours.

It is really hard to find the ultimate and actual causes of discriminatory facts into the individual mind. Discrimination is highly dependent on contextual factors, such as society and the historical moment that discriminators and discriminated people are living together. Following this approach, discrimination theories can be qualified, applying to two different criteria, as a) individualistic or structural, and b) conscious or unconscious.

According to Scheff and Kemper' theories, we can say that discriminated people experience intense emotional injuries just for the sake of being discriminated against, that is, for lacking the respect and recognition they deserve. It has been clearly shown that lack of respect and recognition causes unhappiness. In advance of the functional impacts of discrimination, stereotypes, prejudices, and stigmatisations engender strong emotions that seriously diminish subjective well-being.

Lack of recognition, immanent to discrimination, causes very serious and negative emotional consequences. However, discriminatory social selections affect not only the social valuation, and hence the social status of discriminated people, but also their power resources. Discrimination reduces both life chances and capabilities.

Statement 4. A social science perspective of discrimination is structural and relational in essence. Consequently, we must take for granted that many different groups and social categories are involved in discriminatory facts.

Structural, institutional and systemic dimensions of discrimination must be identified. Most research on discrimination focuses on the dynamics between individuals or small groups. And yet, it is important to recognise that each of these decisions takes place within a broader social context. The term ‘structural discrimination’ refers “to the range of policies and practices that contribute to the systematic disadvantage of members of certain groups” [... and] “draws attention to the broader, largely invisible contexts in which group-based inequalities may be structured and reproduced” (Pager and Shepherd, 2008: 197). In this way, “a focus on structural and institutional sources of discrimination encourages us to consider how opportunities may be allocated on the basis of race [or different grounds] in the absence of direct prejudice or wilful bias” (Pager and Shepherd, 2008: 200).

Sheppard notes on the structural roots of discrimination: “Multiple discrimination in this context raises issues that transcend individual workplaces and raises questions about how government economic and labour policies risk contributing to structural and systemic discrimination. Such a focus also implicates constitutional and international law obligations” (Sheppard, 2011: 36).

Perpetrators can be seen as singular individuals who commit unlawful behaviours. However, in the same vein that there are people who are at risk of being discriminated against, we refer to discriminators as both people with a high likelihood of performing discriminatory actions and people who participate in the production and maintenance of discriminatory facts. Therefore, discrimination research and anti-discrimination policies must draw attention to perpetrators and discriminators in this general sense; and also to beneficiaries, gatekeepers, and scapegoats.

Statement 5. The remedies are not only legal but also and mainly social. The social approach is also worried about the general impact of unintentional discriminatory facts on the quality of life and functional capabilities of vulnerable groups' members being treated unequally.

Redistribution or recognition? Nancy Fraser (1996) maintains that attaining social justice today requires both redistribution and recognition, as neither alone is sufficient. "In today's world, claims for social justice seem to increasingly divide into two types. First, and most familiar, are redistributive claims, which seek a more just distribution of resources and goods. Examples include claims for redistribution from the North to the South, from the rich to the poor, and from owners to workers". [...] "Egalitarian redistributive claims have supplied the paradigm case for most theorising about social justice for the past 150 years. Today, however, we increasingly encounter a second type of social-justice claim in the "politics of recognition." Here the goal, in its most plausible form, is a difference-friendly world, where assimilation to majority or dominant cultural norms is no longer the price of equal respect. Examples include claims for the recognition of the distinctive perspectives of ethnic, "racial", and sexual minorities, as well as of gender difference". [...] "In this new constellation, the two kinds of justice claims are typically dissociated from one another". In some cases, "we are effectively presented with what is constructed as an either/or choice: redistribution or recognition? Class politics or identity politics? Multiculturalism or social equality? These, I maintain, are false antitheses. It is my general thesis that justice today requires both redistribution and recognition, as neither alone is sufficient" (Fraser, 1996: 3).

Redistribution or Recognition? The answer is that any human being needs both. We must clearly distinguish the consequences derived from economic equality or equal treatment, from economic exploitation or social discrimination, and from class or status stratification. They impose two different social logics that must be taken into account to evaluate the social situation of people discriminated against.

1.3 A social science framework of discriminatory facts

Statement 6. We define discrimination as any unfair and adverse social selection, brought about by actions, processes, barriers or filters based on the belonging to a social category or group, that deprives its members both of a right socially guaranteed and of the recognition and respect they deserve as human beings.

In any discriminatory fact four key elements can be distinguished. Discrimination is:

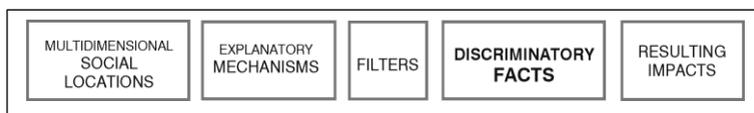
- a) An unfair and adverse social selection that is differentiated between individuals
- b) Based on membership to a social category or group
- c) Operating in the context of a status order that appraises categories and groups, and
- d) That deprive some people of both the recognition and the rights they deserve.

Multiple discrimination occurs when people suffer discrimination on more than one ground (such as gender, race, age, disability, etc.), or on any combination of grounds. This term “tends to describe two situations. First, there is the situation where an individual is faced with more than one form of grounds-based discrimination (i.e. sex plus disability discrimination). It is important to emphasise that from the perspective of the individual who experiences discrimination, it is often impossible to separate out the various strands of so-called additive, cumulative or compound discrimination. Second, there is the situation where discrimination affects only those who are members of more than one group (i.e. only women with disabilities and not men with disabilities). The latter situation is often characterised as intersectional discrimination” (Sheppard, 2011: 4).

Statement 7. The key elements of a Social Science Framework of Discriminatory Facts are five: multidimensional social locations, explanatory mechanisms, filters, discriminatory facts, and resulting impacts.

We propose a social science framework for understanding discrimination that starts from specific multidimensional social positions and tries to reveal the whole configuration of discriminatory facts present in the life situation of the people occupying such locations in the status order. Then, follows the pursuit of the explanation of two fundamental links. First, between social positions and discriminatory facts, aiming to reveal the main mechanisms and filters that produce discrimination. And second, between discriminatory facts and their resulting impacts on the life quality of discriminated people.

Figure 1.1: A Social Science Framework of Discriminatory Facts.



The key elements of this framework are as follows (see Figure 1.1):

Multidimensional social positions and identities: People are both personally and socially multidimensional. They occupy multidimensional social locations and enact multidimensional social identities. A social science approach primarily relates the different multidimensional social locations and identities of a social structure with their corresponding likelihood of experiencing discriminatory facts. The idea of relating a specific multidimensional social location and identity, considered as a risk factor, with the totality of discriminatory facts affecting the lives of people who belong to that social category or group, entails being aware and getting a deep understanding of the personal and social nature of each multidimensional identity and location.

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Filters and mechanisms: Discrimination hinders the enjoyment of fundamental rights and freedoms of some categories or social groups. A discriminatory fact is essentially an unjust social selection operated by a society that treats unequally and adversely the members of a social category or group. This is why a discriminatory fact always entails the act of a filter, that is, a social selection device through which discrimination finally operates.

Discriminatory facts: Usually, discrimination theories have considered behaviour as its central element. Discrimination means unequal treatment, and legal approaches take discriminatory actions of individuals or institutions as its endpoint. However, a social science approach, following the point of departure of Ludwig Wittgenstein's *Tractatus Logico-Philosophicus*¹, states that discrimination in a society is the totality of discriminatory facts. Discriminatory facts are composed not only of actions, conducts, and behaviours, but also of many kinds of different events, incidents, practices, processes, rules, images, customs, deeds, ideas, institutions, and so on. An objective barrier, for example, the lack of a wheelchair ramp in an educational building, unequally treats people with a disability without the intervention of any individual behaviour. In this case, the inability to enter the building and take an academic course is, properly speaking, the discriminatory fact. In sum, discriminatory facts are situations in which disparate and unfair treatment has been produced. A fact can be discriminatory beyond any intentionality, particular human behaviour, legal liability, and so on. A discriminatory fact results in a selection based on an unjustified, illegitimate and improper ground (e.g. taking or not taking the course).

Resulting impacts: There are two essential concepts of discrimination: a) differential or unequal treatment; and b)

¹Wittgenstein's (1961) fundamental starting statement in his treaty is that "1.1. The world is the totality of facts, not of things"; "1.2 The world divides into facts".

differential or disparate effects. In our theoretical framework “resulting impacts” refer to any consequences derived from any discriminatory filters and facts that some individuals experienced as members of a social category or group. That is, our approach does not directly link “multidimensional social locations” and “disparate effects”, thus bypassing mechanisms, filters and discriminatory facts, which would remain in a kind of black box. Our approach works in two phases connected in series: 1) analysing the links between social locations and identities, on one hand, and discriminatory facts, on the other; and 2) analysing the disparate impacts generated by the social selections produced by filters and discriminatory facts. These would be, strictly speaking, the resulting impacts of discrimination.

The distinction between differential treatment and disparate impact is crucial to understand discrimination. On one side, “differential treatment occurs when individuals are treated unequally because of their race”. On the other side, “disparate impact occurs when individuals are treated equally according to a given set of rules and procedures, but when the latter is constructed in ways that favour members of one group over another” (Pager and Shepherd, 2008: 200).

Statement 8. A multidimensional approach to discrimination, understood as the study of the discriminatory configurations of the multidimensional social positions or identities, is essential to tackle discrimination.

The discriminatory facts experienced by each multidimensional social position in a status order can only be fully explained with the assistance of diverse theories, by the contextual overlapping of various social structures, and by the actions of different mechanisms and filters that create unfair and adverse social selections. Therefore, anti-discrimination policies should address and focus particular multidimensional social positions and identities, and be oriented by the theoretical knowledge to reach on how discrimination works in each case. In sum, anti-discrimination policies must focus on specific filters and mechanisms.

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A social science approach to discrimination takes the diversity of multidimensional social locations and identities as a starting point. In this way, knowing the mechanism and filters that explain the links between, on the one hand, a specific multidimensional social position and identity and, on the other hand, the general structure of the discriminatory facts present in their life situation is a necessary condition for tackling multi-discrimination.

Statement 9. The interactions between different discriminatory grounds are very complex.

The interactions between different discriminatory grounds are so complex that it is hardly possible to theoretically envision the discriminatory facts and impacts that specific intersections can produce. Discriminatory grounds interact, life domains interact, mechanisms interact, times interact, social contexts interact, individual and collective agencies interact. Predicting discrimination and its impacts on people from the analytical intersection of categories reveals itself as an illusory and fruitless endeavour.

Given the complexity of ground intersectionality, we propose to study any discrimination as multiple discrimination. We should not begin with two or three one-dimensional grounds of discrimination, and then check if people experience multiple, compound or intersectional discrimination, but, the other way around, we should start from multidimensional social positions and identities especially vulnerable to discrimination, and investigate the whole configuration of discriminatory facts and resulting impacts that form part of their life situation.

The following example of the intersection between aging and disability shows different experiences and different effects: People with an early-onset disability are said to age with a disability, while those with a late-onset disability are said to have a disability with aging. These groups will likely have different experiences with disability related to the length of time spent living with a disability. They will have different expectations, coping mechanisms and adaptation strategies for dealing with

disability. An analysis of the life-course will reveal many influences and experiences that serve to separate, rather than unite, the two groups.

Different effects, for example, additive effects in older people with disabilities and, exacerbation in disabled people who are aging (because interaction multiplies the effects of disability and aging). Long-term disabilities' experience produces unanticipated health problems (e.g., fatigue, pain) and functional declines (e.g., muscle weakness, mobility limitations) as they reach midlife (Campbell, Sheets and Strong, 1999). A related problem is that people aging with disabilities may face early and forced retirement as they become physically unable to continue working (Torres-Gil and Putnam, 2004). Yet they remain too young to qualify for the age-based service system as they shift out of the disability service system, with its strong vocational focus. The resulting gap in services poses a threat to independence and quality of life for people aging with a disability. These secondary health conditions are related to the effects of aging super-imposed on the primary disability. The conditions have been described as "premature aging" because they occur about fifteen to twenty years earlier than would be the case with normal aging (Kemp and Mosqueda, 2004; Sheets, 2005: 37-38).

Statement 10. To effectively and efficiently address the problem of multiple discrimination, it is necessary to launch appropriate intervention programs. To design these programs, as well as to evaluate them, we must measure the incidence and describe the characteristics of the processes, at the same time that we understand the mechanisms that produce and maintain them.

To tackle discrimination, we need to know why discrimination exists, but mainly how it is cultivated, which mechanisms intervene in the production of pervasive and recurrent discriminatory facts all over society. Without knowing these mechanisms, we cannot design or implement efficient anti-discriminatory policies.

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The middle-range theories of discrimination point to some specific mechanisms which keep discrimination alive. There are many different types of discriminatory mechanisms – individualistic, structural, conscious or unconscious– that operate simultaneously to activate discrimination.

From a sociological perspective, there are two fundamental meta-theories that help us to understand the structure of discrimination of a given society in a given moment of time: a) theories of group relations (intergroup conflict theories); and b) theories of status stratification (social categorisation theories). Conflict theory unveils how powerful groups discriminate powerless ones to improve, keep or don't lose their privileged positions. Status stratification theories unveil how societies use valuations and devaluations of social categories to achieve their aims through the creation of a status order. In this sense, discrimination would be an illegitimate by-product of such a status order.

To know about discrimination in a country, we need to study its general social structure, and particularly, its status order. From an intergroup conflict approach, this means having detailed information of all the concentric rings of its structure, from the nucleus to the extreme periphery, through the centre and the periphery. From a status stratification approach, this entails knowing which social aims the status order pursues, revealing the formation of status groups, both highly valued and deeply devalued, and explaining how they behave to each other. The status order should be conceived as an extremely complex structure composed of countless different multidimensional social positions and identities.

1.4 Methodologies and techniques to measure the incidence and understand the meaning of the multiple discriminatory processes

Statement 11. The important thing in studying discrimination is not to discover analytical interactions between generic social categories, but to research how and why people occupying multidimensional social positions experience discrimination in their lives.

Hence, we face a multiple research task. First, to find the most vulnerable and relevant multidimensional social positions of the status order of a society. Second, to deeply comprehend the whole life situation of people occupying these positions and the role that discrimination plays in it. And third, to keep in mind which the social groups are that take advantage of their position, supporting, preserving and perpetuating the mechanisms and filters that cause discrimination.

The first task would consist of elaborating a detailed social map of discriminated people in a given society. Quantitative methods, such as general surveys and collections of secondary data, can help to locate the multidimensional positions of the social structure at risk of being discriminated, and to know the attitudes of the population towards them. The second task would consist of making case studies for some of the most relevant multidimensional social positions and identities of a society.

Qualitative methodologies and techniques, like interviews and focus groups, would be the most appropriate for understanding from a holistic point of view the life situation of discriminated people with a multidimensional identity. These qualitative research techniques need to be also applied to the study of the general population's attitudes and, especially, to the study of the specific potential discriminators of each one of the multidimensional positions and identities at risk of being discriminated.

Beyond the already mentioned discriminators, we must bear in mind two other important subjects, such as beneficiaries and gatekeepers. Discrimination, as exploitation, is a mechanism of

stratification by which powerful social groups, through status ranking, obtain privileges, benefits, resources, etc., at the expense of others. Hence, from a structural and institutionalised view of discrimination, it is very important to understand the interests that move discriminators, and the benefits, privileges and resources that discrimination brings to discriminators, beneficiaries and gatekeepers. A case study in a life domain could be very helpful at this point. For instance, we could use the report on inequalities and multiple discrimination in the access to and the quality of health care as a model.

Statement 12. Measuring the extent of multiple discrimination would consist of elaborating a detailed social map of discriminated people, in a given society. These data would provide statistical evidence of discrimination that could be used as legal evidence, and also as an argument to legitimise social criticism and social protest.

One of the most significant challenges regarding the research on multiple discrimination is the difficulty in its measurement. First, because “concepts such as gender, race, sexual orientation, ability, and so on are socially constructed and therefore new categories are constantly created and definitions are ever-changing” (Hankivsky; Cormier and de Merich, 2009: 27). Second, because it is necessary that the construction of new comparison categories is based on intersections. In addition, “if data are lacking with respect to specific grounds of discrimination, they are even more scarce with respect to multiple discrimination” (Sheppard, 2011: 4).

Despite having Eurobarometer surveys of the European Union that measure the incidence of perceived discrimination, the extent of the intersectional disadvantage in the EU is difficult to gauge because of lack of comprehensive data. While data disaggregated by gender and by age are readily available, there is a little systematic collection of data on the other grounds, let alone data reflecting intersectional experiences. Indeed, the categories for data disaggregation are themselves still unsettled (Fredman, 2016: 39).

Victimisation surveys, especially those developed by the European Union Agency for Fundamental Rights (FRA) –The European Union Minorities and Discrimination Survey (EU-MIDIS) and The European Union Lesbian, Gay, Bisexual and Transgender Survey (EU-LGBT)–, constitute a fundamental source of descriptive data for our purpose. The data can be used as evidence in judicial cases and show the unjust social situation experienced by minorities.

The results of specific victimisation surveys, as the EU-LGBT Survey, demonstrate, for example, “that lesbian respondents face discrimination both because of being lesbians and because of being women” (FRA, 2013b: 104). The survey results may suggest that transgender persons face triple discrimination: because of gender identity, gender expression and sexual orientation.

The issues that are not yet fully resolved include the following: a) Can statistical evidence of insufficient representation among people justify a finding of discrimination? b) When can general population figures, unlike statistics on people belonging to a subgroup, be used to obtain a measure of under-representation? c) What inference methods should be used to test the hypothesis that the selection is independent of the different grounds of discrimination? The classical method of hypothesis testing or presentation of p-values, prediction or confidence intervals. Which is more accurate? (Kaye, 1982: 776).

Proving multiple discrimination in all areas where it may occur is particularly difficult because it must be proven that two or more grounds are working, and a comparator must be established. We use an example of the European Union Agency for Fundamental Rights to illustrate this. FRA (2013a) shows how the comparison is made in a single-ground approach. An ethnic minority woman can compare herself: to an ethnic minority man to prove sex discrimination; or to a white woman to prove racial or ethnic origin discrimination. Two comparisons can then take place, one horizontal and one vertical. A comparison with a white man, and thus a comparison across the

two grounds of ethnic origin and sex (a diagonal comparison), is very difficult to argue (FRA, 2013a: 86).

Despite these difficulties, however, the statistical approach helps to explore the “differences among and between individuals of varying backgrounds” (Hankivsky et al., 2009: 27), and to advance the understanding of the unique experiences associated with intersecting identities (Parent, DeBlaere and Moradi, 2013: 643). The main recommendations to focus quantitative research on multiple discrimination are: 1) To determine that new comparison categories are based on intersections: “An intercategory approach entails using pre-existing categories of difference to explore inequalities within and across social groups (e.g., comparing Black women with poor White men)” (Hankivsky et al., 2009: 6). 2) To adopt a “within-group perspective” (intracategory approach): When describing the characteristics of groups, researchers should not only provide figures for the population as a whole, but also for each of the subgroups (Spierings, 2012: 338); 3) To operationalise “constructs in ways that reflect and capture the unique experiences of the population” (Parent et al., 2013: 643); 4) Questions about intersectionality should focus on meaningful constructs such as stress, prejudice and discrimination, rather than rely on demographic questions alone (Bowleg, 2008: 316).

Statement 13. Qualitative, participative and empowering methods are basic in the research on multiple discrimination, because they enable access to key aspects, such as the experiences of the most vulnerable groups, contexts and dynamics of interaction associated with discrimination, power relations, comparisons between groups, as well as the participation of groups facing multiple discrimination.

Qualitative methods –ethnography, neighbourhood studies, participatory action research, historical analyses, structured interviews, textual analyses (Hankivsky et al., 2009: 28)– have been highlighted in order to study the complex construct of intersectionality. Qualitative methods provide data in relation to essential aspects of the study of multiple discrimination such as

the following: “phenomenological experiences associated” with multiple discrimination (Parent et al., 2013: 642); “interdependence, multi-dimensionality and mutually constitutive relationships” (Bowleg, 2008: 317); “how particular characteristics and contexts moderate self-perception and the response of others” (Lumby, 2011: 4); and “locations and experiences with power and privilege” (Hankivsky et al., 2009: 28).

The qualitative approach allows a deeper understanding of the experiences of groups facing multiple discrimination and access to the most vulnerable and hidden populations. For example, in the field of violence against women, diverse specific groups have been analysed: girls and women with disabilities (Campos Pinto, 2016), migrant women working in prostitution (Rodríguez, 2015). Also, it is possible apply both intercategory and intracategory approaches in the qualitative analysis. The comparison between groups allows exploring the effects of multiple discrimination, as Leslie Doyal (2009) applied in the case of diverse groups of HIV Black African migrants.

Thus, the participation and empowering data collection methods –for example, community action research– are basic for the development of a research sensitive to multiple discrimination (Kóczé, 2009). As the European Commission states, the “participation of organisations representing groups experiencing inequality is a tool for the implementation of non-discrimination/equality mainstreaming in its own right. This participation is also a feature in implementing other mainstreaming tools such as equality impact assessment and gathering equality data” (European Commission, 2011: 19). In this respect, the participatory action research is a basic tool for the purpose of social change towards equality (Morris, 1999: 7).

Statement 14. Case studies of the most relevant multidimensional social positions and identities of a society greatly contribute to understanding the very complex forms of discrimination that multi-discriminated people face.

After identifying the most vulnerable and relevant multidimensional social positions of the status order of a society, the second step is oriented to deeply comprehend the whole life situation of people occupying these positions and the role that discrimination plays in this.

Experiences of multi-discrimination are specific and people may experience very complex forms of discrimination. Intersectional analysis first arose out of the experience of African American feminists in the USA. The traditional understanding of racial discrimination did not include experiences that were peculiar to African American women. Since then, the understanding of intersectional analysis has evolved into an understanding that all grounds of discrimination interact with each other and produce specific experiences of discrimination (Makkonen, 2002).

A multidimensional approach to discrimination, understood as the study of the discriminatory configuration characteristic of the multidimensional social positions/identities, is essential to tackle discrimination. The discriminatory facts experienced by each multidimensional social position in a status order can only be fully explained with the assistance of diverse theories, by the contextual overlapping of various social structures, and by the actions of different mechanisms and filters that create unfair and adverse social selections. According to Collen Sheppard, “numerous studies on multiple discrimination rely predominantly on qualitative interviews. The complex realities of overlapping inequalities –realities that do not align readily with an analysis based on a single ground of discrimination– are often revealed most eloquently in the narratives of those experiencing complex multiple discrimination. This experiential knowledge provides critical insights about the phenomenon of multiple discrimination and the importance of taking it into account in strategies for securing equality at work”. [...] “In

contrast to the more categorical approach prevalent in quantitative data collection, qualitative studies often ask much more open-ended questions that are not bound to specific identity categories” (Sheppard, 2011: 8). Professor Sheppard comments the work of Lisa Bowleg (2008) on Black lesbian women: she is critical of an additive approach to research on multiple discrimination “because it conceptualises people’s experiences as separate, independent, and summative”. Thus, she suggests that the challenge is to “ask questions about experiences that are intersecting, interdependent, and mutually constitutive, without resorting, even inadvertently, to an additive approach” (Bowleg, 2008: 314; cited in Sheppard, 2011: 8).

For a comprehensive overview of multiple discrimination, we can make two types of case studies: a) of the most relevant multidimensional social positions and identities of a society; and b) of the most important life domains. To carry out these case studies we must use both qualitative and quantitative data. In what follows, we summarise one research example of each type:

a) *Experience of discrimination, social marginalisation and violence: A comparative study of Muslim and non-Muslim youth in three EU Member States* (FRA, 2010)

Project conducted by the European Union Agency for Fundamental Rights during 2008/09. The research design involved a survey of 1,000 young people within each Member State, sampling approximately equal numbers of males and females, between the ages of 12 and 18, from Muslim and non-Muslim backgrounds (3,000 interviewees in total). The survey “set out to explore possible relationships between young people’s experiences of discrimination and social marginalisation, including experiences of racism, and their attitudes towards and actual engagement in violent behaviours” (FRA, 2010: 7). Although it is not usual, the research includes a set of emotional effects of discrimination: discrimination in school, feelings of happiness/unhappiness, alienation and stigmatisation.

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b) *Inequalities and multiple discrimination in access to and quality of healthcare* (FRA, 2013a)

Research design: The objective of the fieldwork research was to examine the views of both a range of health professionals and of different categories of healthcare users. “The FRA carried out fieldwork at two sites in each of the five selected EU countries: In Austria, Sweden and the United Kingdom, the second site was a major city with a large migrant and ethnic minority population (Graz, Malmö and Leicester). In Italy, the two major cities represented regional health systems in the north and the south of the country with different migration histories. In the Czech Republic, fieldwork took place in the capital and in a rural area outside of Prague which had a large number of Roma. This spatial distribution of foreign migrants has a number of consequences for health service use and represents a key dimension of variation within the sample”. [...] “In each EU Member State two sets of in-depth interviews were undertaken. The first set was with healthcare users, for whom three categories were selected –women with reproductive health needs, older people and young adults with intellectual disabilities. The second set was with health professionals, consisting of providers, advocacy groups, policy makers, legal experts, ombudsmen and equality bodies” (FRA, 2013a: 107). [...] “The fieldwork research for this report found that respondents had experienced unequal or unfair treatment in relation to access and quality of healthcare. They experienced this either directly as a form of alleged direct multiple discrimination on the basis of more than one ground or as a barrier to accessing healthcare, when they were treated equally but inappropriately for their specific situation” (FRA, 2013a: 7).

Statement 15. To fully understand discrimination, it is necessary to analyse majority population opinions and their evolution. Knowing the evolution of the attitudes and beliefs of the population towards minorities serves to monitor the ideologies that legitimise discrimination in society.

Discrimination is rooted on culture and on public opinions and beliefs about some groups or individuals: ageism, ableism, classism, homophobia, islamophobia, patriarchalism, racism, sexism, and transphobia characterise many of our societies. However, discriminatory beliefs and the intensity with which people defend them can change over time. The combination of quantitative and qualitative techniques is useful to get to know public opinion and social discourses. Mainstream population's attitudes towards minorities, such as ethnic minorities, immigrants, and asylum seekers, are key indicators of levels of intolerance in society (EUMC, 2005). There is a relation between prejudice and discrimination: prejudice is seen as the crucial factor causing discriminatory treatment of the singled-out group (Feagin and Eckberg, 1980: 3).

The case of the Young Muslim Minority serves to show how the climate of opinion works. The results from EU-MIDIS show that younger ethnic minority and immigrant groups are reporting higher levels of discriminatory treatment on the basis of ethnicity/immigrant origin. These general findings warrant closer inspection with respect to the relationship between discrimination on the ground of ethnicity/immigrant origin and discrimination in relation to age. Heightened exposure to discriminatory treatment on the basis of ethnicity/immigrant origin among young or younger second- and third-generation immigrants, or among established minority groups, is a worrying sign with respect to these groups' long-term prospects for social integration into the mainstream society (FRA, 2010: 16). [...] "This has been exacerbated by various wars in which Muslims are demonised (such the war with Afghanistan and the Iraq war), localised civil discontent (notably the Paris youth riots), as well as large scale terrorist attacks (including 9/11 in New York, the Madrid train bombings and attacks in the United Kingdom in

both London and Glasgow), which have all contributed to rising feelings of distrust towards Muslim communities”. “Hostility and suspicion is further fuelled and supported by the rise of established right-wing racist groups” (FRA, 2010: 35).

One of several dissertations sought to document the experiences of the Muslim American Youth in a post 9/11 era using a qualitative methodology. Semi-structured interviews were used as the tool for initiating dialogue with the youth. The common themes that emerged from the interviews included: Perceived/Experienced discrimination; Isolation, Fear (for personal safety as Muslims after 9/11 and other terrorist attacks involving Muslims); Perceptions of Media Coverage and representations of Muslims and Islam; and Isolation/Alienation from the dominant society and peers (Ghaffari, 2009).

1.5 Policies and good practices for tackling the mechanisms of multiple discrimination

Statement 16. Multiple discrimination is receiving increased attention from both governmental, institutional and civil society organisations. However, institutional and legal obstacles persist in the effective implementation of these policies.

The EU has recognised the significance of multiple discrimination. Indeed, the EU anti-discrimination frame has meant a decisive impulse for many countries to introduce and develop anti-discrimination legislation and equality institutionalisation (Kantola, 2014). On the one hand, many EU countries, at different levels, are developing specific legislation and institutional bodies aimed to address multiple discrimination. On the other hand, civil society groups are working in different ways to promote the visibility, recognition, and empowerment of multi-discriminated groups.

We can identify the main policies and practices against multiple discrimination that are being implemented by:

a) The political system: Legislative actions and policy measures in order to ensure the recognition and protection of the social rights of groups facing multiple discrimination.

b) Some institutions, including Equality Bodies, support the implementation of policies against multiple discrimination through several strategic activities: contributing to building a shared knowledge database, searching for a solid legal basis, conducting research and data collection, knowledge dissemination, awareness, engaging with civil society organisations, etc.

c) Civil society organisations coordinate collective action and social participation, contribute to awareness increasing, incentive empowerment, and give legal support to people discriminated against.

However, several problems and obstacles in the application of a multiple approach in anti-discrimination policies have been noted. First, “existing EU anti-discrimination law presents severe structural obstacles to intersectional claims, having separate directives, with differing scope, differing justifications and exceptions and a fixed list of grounds. This makes it impossible to create new subgroups to reflect intersectional experience, and difficult to combine grounds” (Fredman, 2016: 86). Second, “national equality laws have traditionally focused on single grounds resulting in gender equality laws and race discrimination acts [unitary model]” (Kantola, 2014: 8). Consequently, “existing national provisions have had limited effects in practice and case law remains very scarce” to tackle multiple discrimination (Chopin and Germaine, 2016: 42-43). In addition, this unitary approach promotes “the competition among those working to overturn distinct inequalities” (Bustelo, 2009: 542).

Several policy models have been proposed to resolve these problems: a) Unification and harmonisation of anti-discrimination laws, via the establishment of a single equality or anti-discrimination bill. b) Attending to intracategorical diversity into the policy plans focused on a “privileged” strand. c) Developing intersectional policies: “An intersectional analysis emphasises these structural and systemic issues and how they act,

interact, and intertwine in subordinating and excluding different groups in society” (Crowley, 2016: 46).

Statement 17. The intersectionality approach is crucial for identifying, defining and implementing policies and actions against multiple discrimination.

Intersectional policies address a subgroup of marginalisation with at least two intersecting axes of marginalisation, and explicitly aim to protect, empower, or otherwise strengthen the rights of a specific marginalised subgroup. According to Walsh and Xydias (2014: 552), the key features of the intersectional policies are the following:

1. Policies address a subgroup of marginalisation with at least two intersecting axes of marginalisation (such as ethnicity, race, class, and sexual orientation).
2. Policies explicitly aim to protect, empower, or otherwise strengthen the rights of a specific marginalised subgroup .
3. Policies explicitly identify the sources of marginalisation for subgroups of women.
4. The policies explicitly aim to alleviate marginalisation by unmaking the fundamental structures that have created and maintained marginalisation of the subgroup in the first place.
5. The policies must explicitly address the policy preferences of the particular marginalised subgroup.
6. The policies must explicitly address the policy priorities of the particular marginalised subgroup.

Intersectional policies are also characterised by the “adoption of new goals related to multiple inequalities. The Portuguese Program for the Eradication of Female Genital Mutilation, approved in 2009, represents an enlightening example of this tendency” (Alonso, 2012: 606). Other significant examples are the honour-related violence (HRV) policies in Finland (Hong, 2014), the policy on forced marriage in Britain (Strid, Walby and Armstrong, 2013), or the emancipation and integration of women and girls from ethnic minorities in Netherlands (Korteweg and Triadafilopoulos, 2013).

Statement 18. The collaboration between equality institutions and the participation of civil society organisation on equality in policy-making processes are key conditions for addressing multiple discrimination.

The coordination and institutional collaboration among equality machineries is an essential condition to implement multiple discrimination policies (Lombardo and Bustelo, 2012). Portugal is an example of this coordinated and participatory approach, where “separate equality agencies are coordinated through joint policy implementation. The older and more consolidated institutions, such as gender and race, play a leading role in coordinating the other equality agencies, often through policy plans” (Lombardo and Bustelo, 2012: 586). Other institutional formulas “opt for integrated institutions in all institutional pillars. This model conveys the message of similarity and comparability of all inequality categories including gender, and tends to play down specifics of gender inequality” (Krizsan, 2012: 551).

“The creation of intersectional policy requires the presence and empowerment of women’s groups in civil society who are dedicated to advocating for marginalised subgroups of women” (Walsh and Xydias, 2014: 564). Social participation encourages visibility and empowerment of multi-discriminated groups as well as improves policy efficiency (Lombardo and Bustelo, 2012; Strid et al., 2013). Indeed, “visibility in the form of voice in the policymaking processes and mechanisms is more important than merely naming inequality grounds” (Strid et al., 2013: 574-575). NGOs have proven to be crucial actors in the design, implementation and evaluation of multiple discrimination policies. For example, British policies on forced marriage “include the voices of minoritised women, articulated through a developed state/civil society interface and in the organisation of civil society and in policy outcomes” (Strid et al., 2013: 574). Thus, civil organisations played a fundamental role in the provision of specialised support services in relation to honour-related violence (HRV) policies in Finland (Hong, 2014).

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In this participative process, the role of equality institutions is highlighted. “The intersectional contribution of consultative bodies is their focus on dialogue and coalition building between different civil society actors, negotiations on gender equality claims representing non-unitary visions of gender, and inclusive representation” (Krizsan 2012: 546-547).

Statement 19. Political measures should be aimed at the recognition and restitution of victims, but they must also draw attention to perpetrators and discriminators. The majority of political measures reviewed, undertaken a victim-centred approach. The intersectional policy is a victim-centred approach, only compatible with penal measures for discriminators.

The design of anti-discrimination policies should bring personal and collective agencies of discriminated people back in. We can no longer think of discriminated people as passive agents who are only victims to take care of. First, this attitude amounts to a new and at least as painful devaluation than that of the original discrimination. Second, it entails that resources, decisions, and actions are taken by others, not by discriminated people themselves. Empowering discriminated people, acknowledging their personal and collective agency, is the first and fundamental step to give them the recognition and respect they deserve as human beings. In sum, every anti-discriminatory policy must take into account the material and cultural resources of discriminated people, and try to develop their agency from adaptation to resistance, and from resistance to transformation.

The focus should not only be on the victims, but also on the discriminators. Anti-discrimination policies must draw attention to perpetrators and discriminators. For example, “anti-stigma programs should target individual power groups whose discrimination is particularly problematic for persons with mental illness. The results of our analysis show that employers, landlords, and police officers may fall into this category and should be the focus of specific anti-stigma programs” (Corrigan et al., 2003).

Anti-discrimination policies should address and focus particular multidimensional social positions and identities. These policies must be oriented by theoretical knowledge on how discrimination works and how social actors implicated in each case behave.

Statement 20. Legal and social perspectives also inspire different organisations oriented to tackle multiple discrimination in Europe. Despite the fact that positive actions seem more effective in fighting against discrimination than anti-discrimination legislation, the latter must not neglect the Acquis Communautaire Regarding Equal Treatment and Opportunities.

“The activity of gender equality machineries and consultative bodies can be viewed along the lines of a combination of transformative and positive action approaches. They stand to compensate for disadvantages of women in policymaking, but they also stand to transform society and policymaking in acting as a coordinating body for gender mainstreaming. Anti-discrimination bodies place the emphasis on an equal treatment approach; though they can be seen to have a more short-term individual impact than machineries as they bring direct remedies to individual victims, they also have a more limited understanding of inequality as they largely neglect structural components and wider transformation” (Kriszan, 2012: 549). Similarly, Davaki et al. highlights the limitations of anti-discrimination laws. “There is thus a need to include a positive element to counteract possible discriminatory outcomes”, “positive actions have been shown to be more effective in reducing inequalities than anti-discrimination legislation” (Davaki et al., 2013: 14).

Most of the measures identified to address the mechanisms of multiple discrimination are aimed at awareness raising. Although many of them are driven by equality bodies (top-down policies), the initiatives promoted by civil society groups (bottom-up interventions) are particularly significant for enhancing visibility and empowerment of multi-discriminated people. Internet and

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virtual social networks are becoming increasingly important for articulating these collective actions and disseminating information.

While the mechanisms of multiple discrimination affect numerous fields of social life, employment and health and, to a lesser extent, access to justice, are the main areas of intervention. Some of these actions are targeted at multi-discriminated groups (for example, providing them with information or social and legal support). Other remarkable actions aim to change the attitudes and behaviours of potentially discriminators groups and the filters they activate (for example, mentoring and intermediation in the workplace, training and protocols in healthcare, etc.).

Decisions courts are very important for individual victims, but are even more socially relevant because of their contribution to the legal development of the *Acquis Communautaire* regarding equal treatment and opportunities.

1.6 Conclusions

Legal approaches promote an episodic or event-oriented view of discrimination, understanding people (both victims and perpetrators) and situations in the context of law for the sole purpose of determining criminal liability in particular juridical cases. A social science approach promotes a process-oriented view of discrimination, involving every member of a social category or group. This approach did not work only with singular cases, but mainly with risk factors that determine the likelihood of a member to be discriminated against. The remedies are not only legal but also and mainly social. The social approach is not only worried about law crimes and the violation of peoples' rights and freedoms, that is, not only about intentional discriminatory actions but also about the general impact of unintentional discriminatory facts on the quality of life and functional capabilities of vulnerable groups members treated unequally.

In sum, from a social science approach, the study and tackling of multiple discrimination should include:

a) The visibility of intersections between grounds of discrimination and detection of particular multi-marginalised groups (multi-dimensional social positions and identities).

b) Better knowledge and understanding of the mechanisms of multiple discrimination.

c) Recognition of social needs and rights of multi-discriminated groups. This requires the adoption of new policy goals related to multiple inequalities, as well as the development of specific policies aimed to protect and empower particularly marginalised groups.

d) Collaboration between different actors working in equality and non-discrimination. This is a fundamental point to ensure the policy efficacy and transference of knowledge and intervention work.

e) Participation of civil society and multi-discriminated groups in research and policymaking.

f) Reflexivity on policy process by research and evaluation of possible bias and limitations in the policy response to multiple discrimination.

g) Empowerment of vulnerable groups and social change towards social equity.

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Chapter 2

The Legislative Framework for Tackling Multiple Discrimination in Greece: Theoretical Approach, Best Practices and Results from Surveys

*Nikos Sarris**

2.1 Introduction

Multiple discrimination is discrimination against one person on the basis of more than one ground. Individuals have multiple identities and any one of an individual's attributes, or any combination of them, may form the basis of discrimination. Yet multiple identities are part of the diversity of our society. The aim of this chapter is to introduce the phenomenon of multiple discrimination, to refer to the types, and to present the evolution of the anti-discrimination law especially in the European Union and Greece, focusing mainly on legislation that aims to tackle multiple discrimination. It further aims to document the efficacy of implementing the legislative provisions, with a special emphasis to the labour market where the phenomenon of multiple discrimination often occurs.

Promoting the principle of equal treatment is one of the main duties of the Greek Ombudsman. The independent authority's annual reports constitute a guide for documenting the implementation of the legislative framework, as they present complaints made by citizens regarding discrimination covered by the regulatory scope of Law 3304/2005 and then Law 4443/2016. The role of the Ombudsman under the new law is upgraded because it is tasked with the monitoring and promotion of equal treatment not only for the public sector, but the private as well. Law 4443/2016 in combination with Law 3896/2010 gives to the Greek Ombudsman a cohesive competence on issues of equal treatment in the area of implementation of these two laws, and a total supervision on discrimination and the trends that appear in Greece.

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This chapter also presents results of surveys concerning discrimination in the EU and Greece conducted by the European Commission (Eurobarometer) and the National Centre for Social Research (field research). Some data findings from the 7th wave of the World Values Survey, the interviews for which took place all over Greece in September- October 2017, are compared with those of other surveys. The research findings reveal how the legislative provisions operate in action.

2.2 Definition and types of multiple discrimination

The concept and definition of “Multiple Discrimination” was introduced in the late 1980s. The argument put forward was that individuals can belong to several disadvantaged groups at the same time, and potentially suffer specific forms of discrimination (Crenshaw, 1989). Given the early importance of racial and sexual equality rights movements, it is not surprising that the concept of multiple discrimination first emerged to describe the complex interplay of racial and gender inequalities. More recently, persons with disabilities, indigenous peoples, members of religious minorities, members of the LGBT community, the elderly and youth have also been increasingly vocal about how their experiences of disadvantage and exclusion are deeply affected by the multiple dimensions of their identity (Sheppard, 2011: 1).

The term “Multiple Discrimination” is understood as an umbrella term for all situations where discrimination occurs on more than one of the grounds of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation. Multiple discrimination happens in all spheres of social life. The labour market, however, appears to be the sector where multiple discrimination occurs most often. In many member-states of the European Union, the scope of anti-discrimination legislation outside employment and occupation is limited to only gender and race/ethnic origin. This could be the reason for the lack of visibility of multiple discrimination in sectors such as education, access to goods and services, social protection, etc. Lack of data adds to an incomplete picture of which intersectional groups are vulnerable and in which sectors multiple discrimination occurs.

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It is increasingly recognised that addressing discrimination from the perspective of a single ground fails to capture or adequately tackle the various manifestations of unequal treatment that people may face in their daily lives (FRA, 2018: 61).

A report that was commissioned by the European Commission in 2007 has pointed out that there are differences in understanding the phenomenon of multiple discrimination and in transforming the understanding into concrete practice (European Commission, 2007: 5). Differences in understanding appear to correlate with the length of time member-states have had anti-discrimination and equal treatment legislation and policies in place, whether the legislation is a single anti-discrimination and equal treatment act, whether the National Equality Body has a mandate for single or multiple grounds, and, lastly, whether active anti-discrimination NGOs are present.

Multiple discrimination occurs when a person is subjected to discrimination on more than one ground. This can be experienced in several different ways. Firstly, it can occur when someone experiences discrimination on different grounds, but each type of discrimination occurs on separate occasions. For instance, an ethnic minority woman may experience discrimination on the basis of her gender in one situation and because of her ethnic origin in another. This is the case, for example, when an elderly woman is being discriminated in the workplace because of her gender and whilst accessing health care because of her age. Secondly, it can be additive, so that a series of attributes are required and if you lack one, you lose one point, but if you lack two, you will lose two points, thus increasing your chance of failure in achieving this objective. In other words, this describes a situation where a person suffers discrimination on the basis of two or more grounds at the same time and where one ground adds to discrimination on another ground. For example, in the UK an employer had set up a series of requirements, such as age, experience in the UK, command of English and nationality. The candidate employee did not get the position, because the lack of one factor did not prevent him getting the job, but it did make it less likely, and the lack of two factors decreased yet further his chances of selection for the job. The third type occurs when

discrimination involves more than one ground and the grounds interact with each other in such a way that they are completely inseparable. For example, minority women may be subject to particular types of prejudices and stereotypes. They may face specific types of racial discrimination, not experienced by minority men. This is often called ‘intersectional discrimination’.

There is a noticeable lack of both a common definition of multiple discrimination and a common way of dealing with this form of discrimination. In some member states of the European Union, for example, cases of discrimination on multiple grounds imply higher levels of compensation.

One of the most significant challenges regarding the research on multiple discrimination is the difficulty in its measurement. First, because “concepts such as gender, race, sexual orientation, ability, and so on are socially constructed and therefore new categories are constantly created and definitions are ever-changing” (Hankivsky et al., 2009: 27). In addition, “if data are lacking with respect to specific grounds of discrimination, they are even more scarce with respect to multiple discrimination” (Sheppard, 2011: 4). On the other hand, one can easily observe from disaggregated data the importance of gender as an integral dimension of many forms of multiple discrimination.

2.3 Brief presentation of the European Union legislation

The European Union has established rules for combating discrimination in both primary and secondary law levels. Within the EU primary law, articles 10 and 19 of the Treaty on the Functioning of the European Union (TFEU) make reference to issues of discrimination; the former article concerns combating discrimination in designing and implementing EU policies and actions, while the latter grants the EU institutional bodies with the ability to take “action... for combating discrimination on the grounds of gender, racial or ethnic origin, religion or other convictions, disability, age or sexual orientation” (Sarris, 2012: 66). Additionally, the Charter of Fundamental Rights, which, according to article 6 of the TEU, is equivalent to primary law, encompasses certain provisions regarding equality (article 20), non-discrimination (article 21), cultural, religious and linguistic

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diversity (article 22), equality between men and women (article 23), and integration of persons with disabilities (article 26). Both the institutions of the EU and member-states are bound to comply with the Charter, but the latter only when implementing EU law. Article 21 of the EU Charter contains an open list of grounds.

With respect to secondary law, there are two Council directives regarding equality and non-discrimination: **Directive 2000/43/EC** of the 29th June 2000, on the principle of equal treatment between persons regardless of racial or ethnic origin (also known as racial discrimination directive or racial equality directive or Race Directive); and **Directive 2000/78/EC** of the 27th November 2000, for the establishment of a general framework for equal treatment in employment and occupation (also known as employment equality directive or directive for equal treatment in employment). The purpose of these two directives is twofold: a) to establish a framework across all EU member-states for combating discrimination on the grounds of racial or ethnic origin, disability, religion or belief, age or sexual orientation, and b) to create bodies and mechanisms across the member-states in order to monitor the implementation of the legislation, as well as to promote and encourage equal treatment.¹ The European Union make reference to multiple discrimination in both Directives mentioned above. Recital 14 of the ‘Race’ Directive states, “In implementing the principle of equal treatment irrespective of racial or ethnic origin, the Community should, in accordance with Article 3(2) of the EC Treaty, aim to eliminate inequalities, and to promote equality between men and women, especially

¹ The Directives define direct and indirect discrimination. **Direct** discrimination occurs when a person is subject to less favourable treatment than someone else in a similar situation. The directives posit certain exceptions for the grounds of age. **Indirect** discrimination occurs when a seemingly neutral conviction, criterion or practice may place a person in a disadvantaged position compared to others, unless this particular conviction or practice is objectively justified. Allowed legal justifications should be strictly implemented. The directives also provide that **harassment** is a form of discrimination and mention that a **command for discriminatory treatment** is prohibited and include **retaliation** in the list of prohibited actions.

since women are often the victims of multiple discrimination”. However, multiple discrimination is not defined, nor is it provided for in the main provisions. (Equinet, 2016: 8). Extending grounds of discrimination is, however, impossible under EU secondary law because the grounds covered by the equality directives are listed exhaustively.

There are also two directives for gender equality: Directive 2004/113/EC of the 13th December 2004, for implementing the principle of equal treatment between men and women in the access to and supply of goods and services, and Directive 2006/54/EC of the 5th July 2006, on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. The so-called Gender Equality Directive guarantees equal treatment only in relation to social security, and not to the broader welfare system, such as social protection and access to healthcare and education. There is no reference to the concept of multiple discrimination in these two Directives (Equinet, 2016: 8). Equally important is Directive 2010/41/EU on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity or contributing to the pursuit of such activity.

In November 2017, the EU proclaimed the European Pillar of Social Rights, which is rooted in the principle of non-discrimination. This provides the Union with an additional means through which to promote equality and non-discrimination. The Pillar includes gender equality, equal opportunities, old age income and pensions, and the inclusion of people with disabilities among its 20 key principles (Fundamental Rights Report, 2018: 55).

Notable is the cooperation of the Court of Justice of the EU (CJEU) with the European Court of Human Rights, which operates within the framework of the Council of Europe and monitors the implementation of the European Convention for the Protection of Human Rights (ECHR). The Court has developed significant anti-discrimination legislation and examines cases that do not fall within the Directives’ scope of application. The CJEU has repeatedly emphasised that it is not within its power to

extend those grounds covered by the equality directives, and it has so far not invoked Articles 20 or 21 of the EU Charter to overturn this position. Recently in *Parris v. Trinity College and Others*², the CJEU had to address the possibility of multiple discrimination, since the referring court specifically posed this question. The CJEU considered that there could be no new category of discrimination consisting of the combination of more than one of those grounds (FRA, 2018: 63).

2.4 National legislation on multiple discrimination

Austrian, German, Spanish and Romanian laws contain the only specific provisions in the EU Member States' legislation on how to handle multiple discrimination. Nevertheless, a limited amount of case law has emerged on the issue in the EU.

The existing case law on multiple discrimination in different countries also shows that it is possible, in the field of employment, to handle cases of discrimination where more than one ground is involved, although this may mean that the grounds are argued separately. Case law from Denmark, Latvia, Sweden, Ireland and the United Kingdom demonstrate that multiple discrimination cases are identified and do reach dispute resolution bodies.

Austrian, German, Italian, Polish and Romanian laws have acknowledged that unfavourable discriminative treatment may be due to more than one prohibited reasons. In Spain and Bulgaria, the law on equality provides that the problems that result from multiple discrimination should be dealt with policies and positive measures, which should be adopted by public authorities. French courts are able to characterise multiple discrimination as a special form of discrimination and not as a confluence of more prohibited reasons of discrimination besides the fact that the Labour Code provides, in an indicative way, a big number of prohibited reasons of discrimination.

In contrast to the EU, a widespread awareness of multiple discrimination has been developed in Canada and the USA.

² CJEU, C-443/15, *David L. Parris v. Trinity College Dublin and Others*, 24 November 2016.

Institutions and agencies with a mandate to enforce or promote non-discrimination in these two countries have explored ways of understanding and applying an intersectional approach within their legal framework (European Union, 2007: 27).

2.5 The Greek anti-discrimination institutional framework

Apart from the core constitutional provisions regarding human rights and the aim to tackle discrimination and promote equality (Sarris, 2012: 73), Law 3304/2005 had initially constituted the most significant institutional anti-discrimination arsenal and the most substantial policy step to the protection of vulnerable groups. Through the passing of this law, Directives 2000/43/EC and 2000/78/EC were incorporated into Greek legislation, and the protection against discriminatory treatment was established on the grounds of racial or ethnic origin (employment and training, education, social protection, including social security and healthcare, social benefits, membership and participation in employees' and employers' organisations, access to goods and services, including housing), religious or other beliefs, disability, age and sexual orientation (for the sectors of employment and training). The purpose of this law was to establish a general regulatory framework for combating discrimination.

According to article 19 of Law 3304/2005, three specialised institutions were charged with promoting the principle of equal treatment: a) the Greek Ombudsman, for cases of anti-discrimination law violation by public services; b) The Labour Inspectorate, for cases of violation by physical or legal persons in the private sector, particularly in the field of employment and occupation; and c) the Equal Treatment Committee which is concerned with the private sector and all fields apart from employment and occupation. In addition, the Economic and Social Council of Greece (OKE) (art. 82§3 Constitution) has taken up the role of conducting social dialogue and forming proposals to the Government and social partners for the promotion of the principle of equal treatment. In addition, the contribution of the National Commission for Human Rights (NCHR), mainly through its reports-proposals on issues

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concerning human and social rights, as well as of the Ministry of Labour, Social Security and Welfare, regarding anti-discrimination policies, as it is charged with planning, monitoring and evaluating the National Strategy, is of determining significance to the implementation of the law. Finally, a wide number of NGOs in the field of combating discrimination adds value and further enhances the promotion of the equal treatment principle (Sarris, 2014: 184).

In Greece prohibition of multiple discrimination was not included in the general Anti-discrimination Law 3304/2005. For this reason, the National Commission of Human Rights (NCHR) has repeatedly highlighted³ that Law 3304/2005 does not include the prohibition of multiple discrimination, noting the need to amend it. With regard specifically to the right of older people, the NCHR notes that the prohibition of multiple discrimination is particularly important. According to the NCHR, older people are often victims of discrimination, not only because of their age but also because of their gender, ethnic origin, sexual orientation, nationality, religion or disability. For instance, in some cases indirect gender discrimination and multiple indirect discrimination on the grounds of gender and age are very possible, as in the example that most pension beneficiaries under 55 years of age are women, who have retired with fewer years of service due to the fact that they had minor children, which is also noted by the ILO⁴ as being a situation of indirect discrimination (Theodoridis, 2017: 34).

However, on 5 August 2011, Law 3996/2011 concerning a general reform of the Labour Inspectorate and other provisions on social insurance was voted by the Greek Parliament. This law has thoroughly described the competence and the mission of this body as an auditor in the field of the protection of workers' and

³ GNCHR, Decision on the rights of Older Persons, 20.11.2014, available in Greek at: http://www.nchr.gr/images/pdf/apofaseis/Hlikiomena_atoma/EEDA_Ilikiwmena_atoma.pdf, last accessed on 20.1.2017.

⁴ ILO, Report on the High Level Mission to Greece (Athens, 19-23 September 2011).

employees' rights. This was the first time that a legislative instrument explicitly refers to multiple discrimination, as well as to discrimination concerning people living with HIV/AIDS, as a special category of disabled people⁵.

On 2 December 2016, the Greek Parliament voted Law 4443/2016 titled: “*On the transposition of Directive 43/2000/EC on the application of the equal treatment principle irrespective of race and ethnic origin, and the transposition of Directive 78/2000/EC on the configuration of the general framework of equal treatment in employment and work, and Directive 54/2014/EU on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers and other provisions*”, which replaced the main Greek anti-discrimination legislation (Law 3304/2005). The new provisions introduce new protected grounds, such as chronic illness, descent, family or social status and gender identity or characteristics. In particular, the introduction of the ground of family status in the field of discrimination in workplaces is regarded as an expansion of the rights of same-sex couples who have signed a civil partnership (Theodoridis, 2016: 1). Moreover, certain definitions, which were not provided in the previous law 3304/2005, have been added. Thus, article 2 defines the concepts of “discrimination by association⁶”, “discrimination based on

⁵ More specifically, Law 3996/2011 ‘on the reform of the Labour Inspectorate’, in Article 2(1) (h), states that: ‘... [the Labour Inspectorate] supervises the implementation of the principle of equal treatment irrespective of racial or ethnic origin, religion or other beliefs, disability, age or sexual orientation, taking into consideration instances of multiple discrimination in accordance with Article 19 of Law 3304/2005 [...]’

⁶ “Discrimination by association” is the less favourable treatment of a person due to his/her close association to a person or persons who bare certain characteristics connected to the aforementioned grounds of discrimination.

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perception⁷”, “reasonable accommodation⁸”, and recognises the “denial of reasonable accommodation” for people with disabilities or chronic illness as a form of discrimination. Finally, it defines **multiple discrimination**, stating that “multiple discrimination” is the discrimination, exclusion or restriction of a person based on multiple grounds of discrimination.

The basic goal of the new legislation is the creation of a single, clear, and transparent framework for the implementation of the principle of equal treatment taking into account the established case-law of the Court of Justice of the European Union, the positions of the European Commission, the recommendations of international organisations and the reports of national bodies.

The most important feature of the new provisions is the unification of separate jurisdictions –private and public– under one equality body, the Ombudsman. Under article 14, the Ombudsman will be competent for the monitoring and promotion of equal treatment not only for the public sector, but the private as well. Therefore, the Committee for Equal Treatment will no longer have jurisdiction over discrimination in the private sector. Under article 15, the General Secretariat for Transparency and Human Rights of the Ministry of Justice, within the framework of its jurisdiction for the protection of human rights and combatting all forms of discrimination, will be responsible for the promotion of equal treatment. The Social Protection Directorate of the Ministry of Labour will monitor the application of anti-discrimination policies in the field of labour and employment, inform employees and employers on

⁷ “Discrimination based on perception” is the less favourable treatment of a person who is perceived to have certain characteristics linked to the aforementioned grounds of discrimination.

⁸ “Reasonable accommodation” is defined as the necessary and appropriate modifications, provisions and measures, which should be adopted so as to ensure the equal treatment for people with disabilities or chronic illness, under the condition that none of these measures create an excessive or unjustified burden for the employer, but it is not specified whether these are individual measures or measures of a more general character.

employment discrimination issues, and will scientifically support the Labour Inspectorate Body.

Article 16 requires the cooperation amongst all of the aforementioned authorities, as well as with the Economic and Social Committee, the higher union organisations in the private and public sector, the National Social Solidarity Centre, the National Centre for Social Research, the Centre for Equality Research, the Centre for Disease Control and Prevention, the Central Union of Greek Municipalities, as well as with civil society organisations with expertise on anti-discrimination. Regarding awareness raising and dissemination of information, article 17 stipulates that employers, as well as those in charge of vocational training, shall ensure the application of anti-discrimination provisions and provide the equality body with all the necessary information for the promotion of equal treatment, as per their mandate. The union organisations shall inform their members of the content of anti-discrimination provisions, as well as the measures that are carried out for the application and promotion of equal treatment (Theodoridis, 2016: 2).

The new Equal Treatment Law 4443/2016 also prohibits discrimination in the access to and supply of goods and services, which are available to the public, on the grounds of race, colour, and national or ethnic origin and descent. Protection extends to further grounds explicitly covered by the law, such as language, religious or other beliefs, disability or chronic illness, family or social status, sexual orientation and gender identity or characteristics. Implicitly, it seems to include age as well (Chopin and Germain, 2017: 70).

Law 4097/2012, regarding the implementation of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity, significantly complements the anti-discrimination field. The purpose of this law is to align Greek legislation with Directive 2010/41/EU, in order to ensure the application of the principle of equal treatment between men and women engaged in an activity in a self-

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employed capacity or contributing to the pursuit of such activity.⁹ The Greek Ombudsman is assigned as the main monitoring body for the compliance with the principle of equal treatment between men and women.

Furthermore, through Law 4074/2012, Greece ratified the Convention for the rights of people with disabilities, signed in New York on 30 March 2007, and the Optional Protocol of the Convention, which was signed in New York on 27 September 2010, thus providing greater anti-discrimination protection to one of the vulnerable groups covered by Law 3304/2005 and then Law 4443/2016. The implementation of Law 4074/2012 is supported by Law 4488/2017. The latter introduces a series of provisions designed to promote the equal treatment of persons with disabilities in all aspects of life. The Law also specifies, clarifies and assists the implementation of the UN Convention on the Rights of Persons with Disabilities in Greece. Any natural person or public organisation in the wider public or private sector is therefore required to facilitate the equal exercise of the rights of persons with disabilities in their respective fields of competence or activity by taking all appropriate measures and refraining from any action which may affect the exercise of their rights.

Finally, Law 4491/2017 on the Legal Recognition of Gender Identity, National Mechanism for carrying out, monitoring and evaluating National Action Plans for the Rights of the Children and other provisions completes the protection.

⁹ Applying the principle of equal treatment, as explicitly stated in article 1 of the Law, concerns the dimensions that do not fall within: a) the provisions of Law 3896/2010, through which the national legislation aligned with Directives 2006/54/EC and 79/7/EEC; b) the provisions of P.D. 1362/1981, through which the national legislation aligned with Directive 79/7/EEC. The principle of equal treatment between men and women in access to and provision of goods and services is still covered by Law 3769/2009, with the provision of which our national legislation aligned with the requirements of Directive 2004/113/EC.

2.6 Implementation of the principle of equal treatment by the Greek Ombudsman

Following Laws 3304/2005 and 4443/2016 the Greek Ombudsman is the specialised body, to which citizens may appeal in cases of experiencing discriminatory treatment on the grounds of racial or ethnic origin, religious or other beliefs, disability, age or sexual orientation. Drawing from the GO's annual reports, it is observed that during the last years there is a steady number of complaints filed by citizens who have experienced discrimination and ask the GO to intervene and apply the principle of equal treatment. The main reason citizens appeal to the GO over time, with the exception of the last two years, is discrimination on the ground of ethnic or racial origin at a rate steadily over 50%. In the period 2014-2016, the number of the examined cases remains stable (216 in 2014, 224 in 2015, and 219 in 2016). Table 2.1 below contains a longitudinal presentation of complaints by discrimination grounds:

Table 2.1: Citizens' complaints for Discrimination covered by Law 3304/2005 and then Law 4443/2016. Period 2009-2016.

Complaints for Discrimination by Discrimination Ground	2009	2010	2011	2012	2013	2014	2015	2016
Ethnic origin	2	2	2	5	28	25	25	13
Racial origin	29	36	27	65	54	75	53	57
Disability-reasonable adjustments	14	14	14	19	56	50	87	73
Age	7	1	13	17	26	33	33	32
Sexual orientation	2	0	1	4	1	4	4	8
Religious beliefs	0	0	0	2	10	29	22	33
Total	54	53	57	112	175	216	224	219

Source: Greek Ombudsman's Annual Reports 2009-2016

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It is observed that in period 2014-2016 the number of citizens' complaints has increased compared to years 2009–2012. This is due to the fact that citizens are informed about legislation and the emerging rights. The two main grounds of complaints are Roma origin and disability-reasonable adjustments. Characteristically, 30% of the complaints filed concern discriminatory treatment on the grounds of disability-reasonable adjustments, while 25% concern Roma issues. On the other hand, complaints about discrimination on the grounds of sexual orientation, gender identity, religious beliefs and racial or ethnic origin, with the exception of Roma cases, are quite limited in number. This could imply that citizens are not familiar with the legislation and provided protection in these areas.

In 2016's Greek Ombudsman annual report it is stated that the Authority investigated 219 cases concerning alleged discriminatory treatment against a person or persons on one of the grounds covered by the provisions of Law 3304/2005 and then Law 4443/2016. Out of the 219 examined complaints, 60 concern discrimination in employment, 54 discrimination in education and vocational training, and 104 discrimination in access to supply of goods and services, including housing (Table 2.2).

Table 2.2: Citizens' complaints for discrimination per sector in 2016

Complaints for Discrimination per Discrimination Ground 2016	Reports examined in 2016	Discrimination in Employment	Discrimination in Education / Professional Training	Discrimination in access to supply of goods and services including housing
Roma	57	0	13	44
Ethnic / Racial origin	13	4	3	6
Disability-reasonable adjustments	73	23	36	14
Age	32	31	1	0
Sexual orientation	8	0	2	6
Gender Identity	3	1	0	2
Religious beliefs	33	1	0	32
Total	219	60	55	104

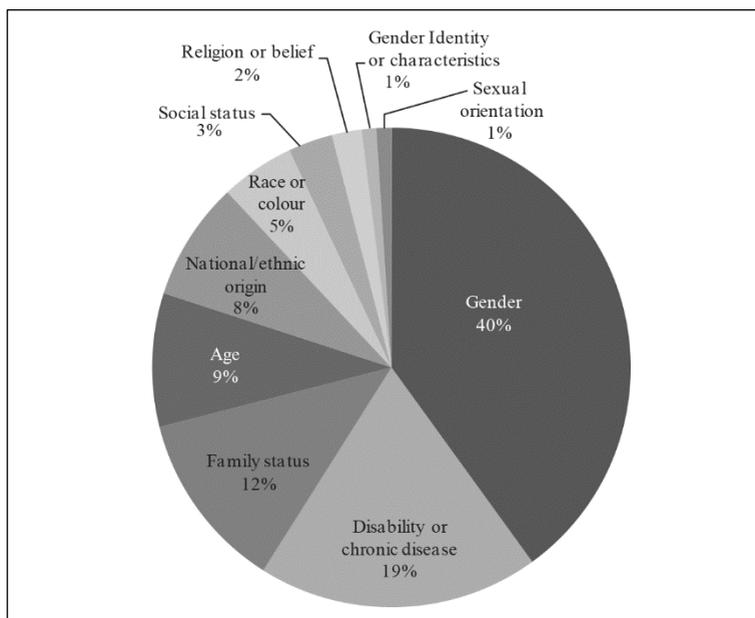
Source: Greek Ombudsman's Annual Report 2016

The statistical imprint of cases that the Greek Ombudsman handled in 2017 as the competent Authority to monitor and promote the principle of equal treatment, includes for first time reports on all grounds of discrimination, as well as gender, with these issues constituting a single subject of the thematic units of the Department of Equal Treatment following internal organization selection. The imprint also includes cases which do not belong to the regulatory scope of Law 3896/2010 and Law 4443/2016, but were investigated in the framework of the Ombudsman's general competence on equal protection of rights and tackling discrimination against people having one or more of the protected characteristics.

During 2017, the Greek Ombudsman received 738 reports on equal treatment, 77% of which were within his jurisdiction and were therefore investigated in essence. From these 52% were considered to be grounded. The majority of the reports, 62%, were against the State, and in particular local authorities (mainly municipalities), insurance funds, and other organizations which are supervised by the Ministry of Labour, as well as hospitals. On the other hand, 38% concerned discrimination in the private sector, which were in most cases brought about to the Ombudsman by the competent Labour Inspectorates.

In 2017, the ground of discrimination of the majority of reports for discriminatory treatment was gender-related (40%), followed by reports on discrimination on the grounds of disability or chronic disease (19%), family status (12%), age (9%), national or ethnic origin (8%), race or colour (5%) etc. (Figure 2.1).

Figure 2.1: Citizens' complaints for Discrimination per discrimination ground in 2017



Source: Greek Ombudsman's Statistical Data – unpublished data 2017

2.7 Best Practices

Best practices are used as a significant means to tackle multiple discrimination by raising awareness and sensitivity against stereotypes and prejudices and by making equal rights, treatment and opportunities visible to and accessible by everyone. In order to achieve that, various training programmes and educational campaigns are used, such as the Hungarian 'Roma Youth in Action'¹⁰ training program or the training course at Miguel Bombarda Hospital in Lisbon, addressing health professionals regarding the cultural values and practices of different minorities (Corsi et al., 2008).

The main types of discrimination are identified in employment, health and care settings, and to a smaller degree in

¹⁰ www.SALTO-YOUTH.net/toolbox

the legal and juridical field. Particularly regarding employment several measures have been used against prejudices, stereotypes and discriminatory behaviours, including mentoring initiatives, such as the ‘Mentoring Project, Bern’ in Switzerland, which aims at linking immigrant women with women in the same area of work¹¹. In terms of legal support and access to justice, social civil organisations offer significant aid to multi-discriminated groups, such as legal counselling and judicial support. In this respect, the German intercultural team LesMigraS¹² provides translator services to victims and immigrants to help them deal with any problems caused due to discrimination.

Greek best practices include, among others, the cases of Coco Mat, as an example of equal treatment in the employment field; the Seatrac project, showing the reaction of a young disabled person trying to help himself and others who are victims of discrimination; then two cases regarding intervention by the Greek Ombudsman concerning multiple discrimination, the first one regarding the Ministry of Foreign Affairs, and the second one focusing on same-sex civil partnerships; and, finally, a decision made by the Magistrate’s Court of Thessaloniki in terms of a transgender immigrant person pursuing her new identity.

Coco Mat

A good practice concerning tackling multiple discrimination is followed by Coco Mat¹³, a company manufacturing sleep products exclusively from natural materials.

Practice description: Coco Mat is committed to equal opportunities for all. Its staff comprises people of thirteen different nationalities and nine religions, as well as people with disabilities. Among its foreign employees are refugees from Eastern European Countries, like Russia.

Outcomes:

Refugees and people with disabilities make for 54% and 12% of Coco Mat’s staff respectively.

¹¹ http://www.bern.ch/weiche_de

¹² <http://www.lesmigras.de/>

¹³ https://www.coco-mat.com/store/gr_en/web/en/node

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- Coco Mat's human resources policy could be used as a model for other companies in Greece, since the country lacks a culture of diversity integration in the workplace.
- Coco Mat's policy could be used as a tool for:
 - Governmental policy planning (as a best practice integrating the Principle of Non-Discrimination which could be applied in public services);
 - Developing corporate policies for the integration of diversity;
 - Campaigns of people with disabilities and immigrants/refugees organisations on the benefits of vulnerable social groups' employment. (Mouriki, 2014: 300)

Seatrac project

Technology in the hands of people is a means that can make life easier and better for people in need. One of the main contributors to the Seatrac project¹⁴ had faced multiple discrimination himself on two grounds: a) being young (a University student at the time), and being disabled. His aspiration is “to break down racial discrimination against disabled people and to integrate them into society”. This is what the Seatrac model is about; helping people with mobility disabilities get into the sea by themselves without having to be carried by others. According to the inventors of the model, “Appliances like Seatrac could contribute to the society's better coexistence with disabled people”.

Ministry of Foreign Affairs

A case of multiple discrimination is that of Discriminatory treatment of candidate employees of the Ministry of Foreign Affairs, in which the grounds of race/ethnic origin, age, and/or disability could deteriorate the position of a candidate.

Case development: The Greek Ombudsman with advisory opinion no. 236691/52486/2017¹⁵, which was published on its website on 28/3/2018, assessed the notice of competition held by

¹⁴ <https://greece.greekreporter.com/2012/12/03/seatrac-an-innovative-idea-turned-movie-to-help-disabled-reach-the-sea/>

¹⁵ <https://www.synigoros.gr/resources/docs/20180328-synopsi.pdf>.

the Ministry of Foreign Affairs (no P19GEN - 34379) on the recruitment of five experts, according to which the participation of candidates is excluded when: (a) they have become Greek citizens through the process of naturalisation, but they have not completed 3 years after the acquisition of the Greek nationality; (b) they have not reached the 32nd year of their age; (c) they suffer from serious cardiovascular or serious respiratory or nephrology or contagious diseases or serious disorders of the nervous system. The Ombudsman drew the Ministry's attention to the fact that a differential treatment which relies on one of the protected characteristics, as provided in law 4443/2016 (ethnic origin, age, disability), is considered to be permissible only if this characteristic constitutes a substantive and critical professional prerequisite for the nature or the context of the specific professional activities and on the condition that the specific aim is legitimate and this prerequisite is proportional. Possible derogations from the principle of equality, deriving from the specific provisions on the competence or the terms for the recruitment of the Experts Sector, must be interpreted and applied in compliance with the principle of equal treatment. Otherwise, they must be considered to be repealed.

Same-sex civil partnerships

Regarding the issue of same-sex civil unions and following the judgment of the ECtHR in the Vallianatos case, on 24 December 2015 the Greek Parliament passed Law 4356/2015, which recognises same-sex civil partnerships and eliminates discrimination on the ground of sexual orientation in various fields among which social protection, including social security and healthcare¹⁶. The Ombudsman's 2015 Report applauds the strongly supportive voting results, which led to the adoption of Law 4356/2015 on the partnership agreement, without distinguishing between heterosexual or homosexual partnerships. The introduction of a partnership law that does not discriminate on

¹⁶ <https://www.equalitylaw.eu/downloads/3640-greece-introduction-of-civil-partnership-for-same-sex-couples-and-amendments-of-the-general-anti-discrimination-legislation-pdf-89-kb>

the ground of sexual orientation has, in fact, been the subject of public intervention by the Ombudsman many times in the past. The Ombudsman has maintained that the recognition of rights for homosexual couples should be the same as those enjoyed by heterosexual couples, since it is a primary obligation of the State to ensure egalitarianism and protection of private and family life.

Magistrates' Court of Thessaloniki – Decision 444E/2018

On March 8th, following a petition submitted on November 30th 2017, the Magistrates' Court of Thessaloniki examined a case of a transgender woman, who is a recognised refugee, for the change of her gender and name, so that they are consistent with her gender identity, according to the provisions of Law 4491/2017 (legal recognition of gender identity). With its decision 444E/2018, the Court accepted that the existence of identification documents that identify her as a male person, makes her particularly vulnerable due to difficulty in identification during various transactions with public services, other bodies, as well as public health services, since these conditions constitute a permanent cause of psychological tension and anxiety and a situation that is particularly nerve-racking, adding to her already difficult condition due to the tortures that she underwent in her country of origin and an insurmountable obstacle to her full integration in the Greek social circle, while causing serious damage to her legal interests and affecting her personality.

The Hellenic League for Human Rights, which provided legal assistance to the transgender refugee with the support of the Greek Transgender Support Association highlights that “This is a groundbreaking decision, given that recent law 4491/2017 does not explicitly provide for the right of legal recognition of gender identity for individuals who are not registered in Greek registry offices, and, mainly, regarding transgender refugees or asylum seekers, creating a gap and legal uncertainty in these cases”.

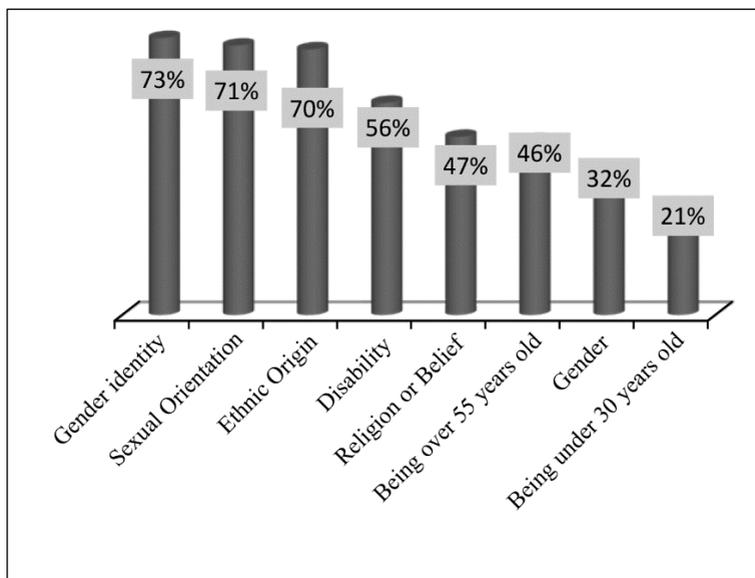
The Greek Transgender Support Association considers this case law of the Magistrates' Court of Thessaloniki to be extremely important, since gender and name change is rendered possible for the first time for transgender refugees, even though the

legislation on the legal recognition of gender identity is not explicitly provided for¹⁷.

2.8 Eurobarometer survey on discrimination in Greece

According to the Eurobarometer survey, in 2015 citizens in Greece believed that most forms of discrimination they were asked about were (very and fairly) widespread in their country. Findings are presented in Figure 2.2. The most commonly reported form of discrimination is gender identity (being transgender or transsexual) by 73%, followed by sexual orientation (being bisexual, gay or lesbian) by 71%, ethnic origin by 70%, disability by 56%, religion or beliefs by 47%, age (being over 55 years old) by 46%, gender by 32%, and age (being under 30 years old) by 21%.

Figure 2.2: Widespread types of discrimination in Greece



Source: Eurobarometer 83.4, Discrimination in the EU in 2015

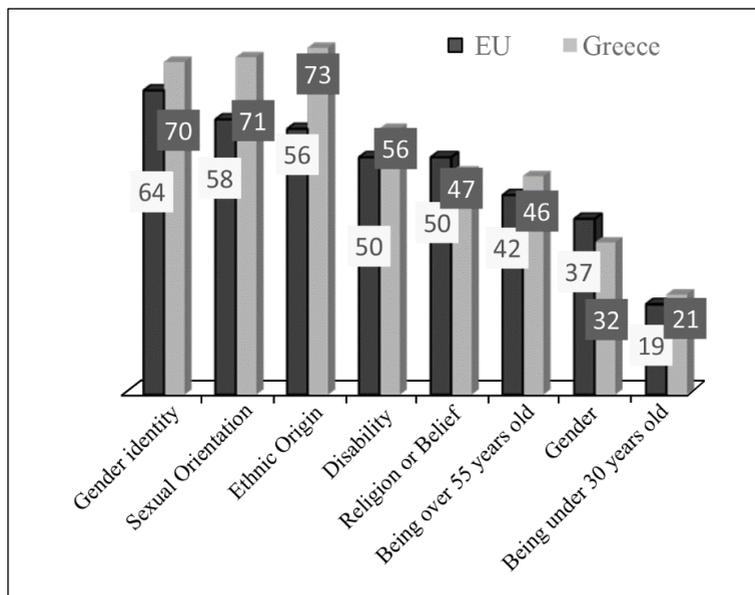
¹⁷ <http://www.efsyn.gr/arthro/nomiki-anagnorisi-tis-taytotitas-fyloyse-trans-prosfyga>

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Comparing discrimination rates in Greece with the EU-28 mean (Figure 2.3), it is noticed that rates are higher in Greece on the grounds of gender identity (73% versus 56% in EU-28), sexual orientation (71% versus 58% in EU-28), ethnic origin (70% versus 64% in EU-28), disability (56% versus 50% in EU-28), and age, for both persons over 55 years old and persons under 30 years old (46% versus 42% in the EU-28 and 21% versus 19% in EU-28 respectively). On the other hand, lower rates of discrimination are observed on the grounds of gender (32% versus 37% in EU-28) and religion or beliefs (47% versus 50%).

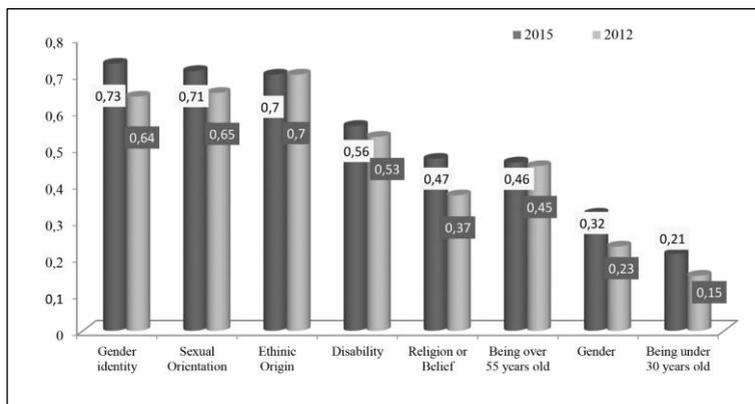
Comparing Eurobarometer's 2015 findings for Greece with the findings of 2012, as they are presented in Figure 2.4, it is observed that there has been an increase in discrimination of all types with the exception of discrimination based on ethnic origin, the percentage of which has remained steady (70%).

Figure 2.3: Types of discrimination in Greece and the EU



Source: Eurobarometer 83.4, Discrimination in the EU in 2015

Figure 2.4: Comparative longitudinal evaluation of discrimination in Greece

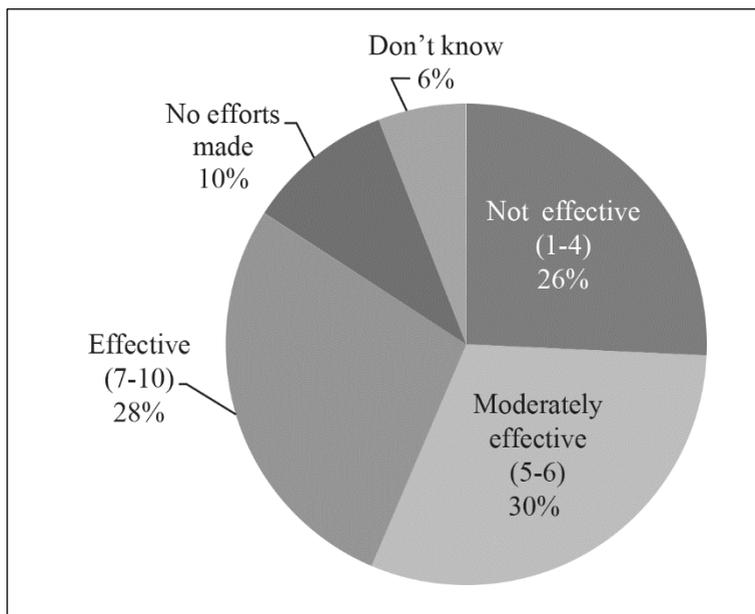


Source: Eurobarometer 77.4 Discrimination in the EU in 2012 and Eurobarometer 83.4 Discrimination in the EU in 2015

Figure 2.5 presents the views of respondents in Greece regarding the effectiveness of national policies in tackling discrimination. As can be seen, 26% of the respondents think that efforts made to fight all forms of discrimination are not effective (giving a score from 1 to 4 on a scale from 1 to 10), compared with 30% that believe they are moderately effective (points 5 and 6 on the scale) and 28 % that think they are effective (points 7 to 10 on the scale). EU-28 rates, which are presented in Figure 2.6, are 26%, 36% and 27% respectively. It can be observed that the percentages in Greece and in the EU-28 mean are almost the same. The conclusion is that public policies in combating discrimination both in the EU and in Greece have the same effectiveness.

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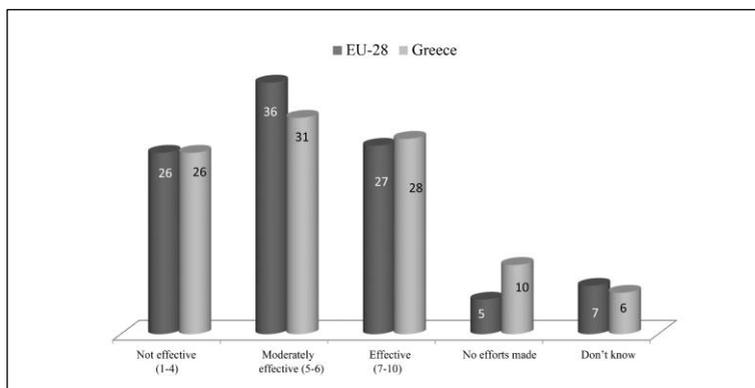
Figure 2.5: Effectiveness of public policies in combating discrimination in Greece



Source: Eurobarometer 83.4, Discrimination in the EU in 2015

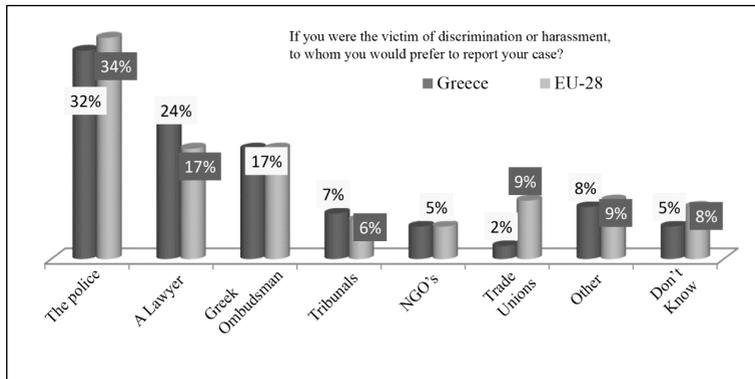
If Greeks were victims of discrimination or harassment, respondents are most likely to say that they would prefer to report their case to the police (32%). This is ahead of other options, such as a lawyer (24%) or an equal opportunities organisation (17%). Less than one in ten say they would prefer to report their case to tribunals (7%), NGOs (5%) or trade unions (2%) or somewhere else (8%) (Eurobarometer Results for Greece, 2015: 3). On the other hand, Europeans as a whole (34%) would prefer to report their case to the police, then to a lawyer or an equal opportunities organisation (17%). Trade Unions take up the fifth place, followed by tribunals, whereas various NGOs and associations follow (Figure 2.7).

Figure 2.6: Effectiveness of public policies in combating discrimination in the EU-28 and Greece



Source: Eurobarometer 83.4, Discrimination in the EU in 2015

Figure 2.7: To whom would the victims of discrimination prefer to report their case?



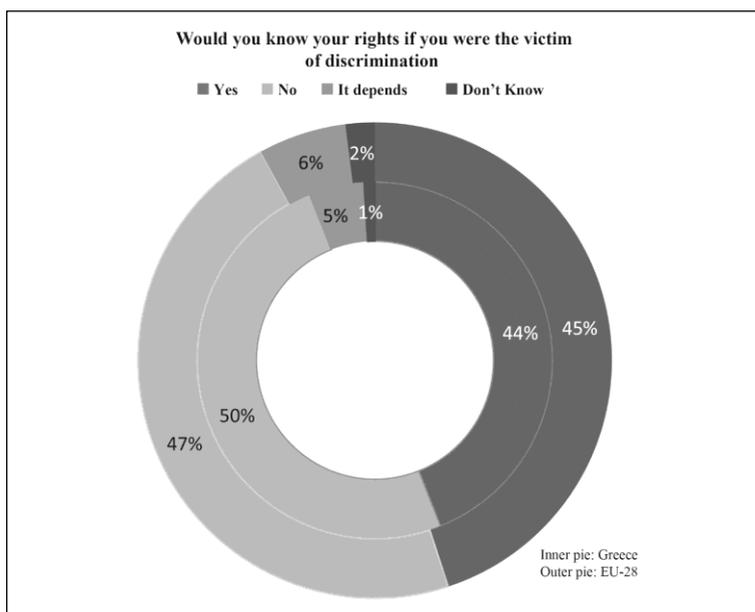
Source: Eurobarometer 83.4, Discrimination in the EU in 2015

In 2015, one in two citizens (50%) in Greece and almost the same percentage (47%) in the EU reported that they did not know their rights if they were victims of discrimination or harassment, whereas 44% in Greece and 45% in the EU-28 responded positively; 5% of the citizens in Greece and 6% in EU-28 spontaneously

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answered “that depends” (Figure 2.8). Compared with 2012 data, negative responses are almost the same both in Greece and in the EU-28. On the other hand, positive responses presented a 7-point increase in Greece and an 8-point increase in the EU-28 (Eurobarometer, 2015: 17). The conclusion is that there is increasing knowledge of the rights of victims of discrimination.

Figure 2.8: Knowledge of rights in case of discrimination

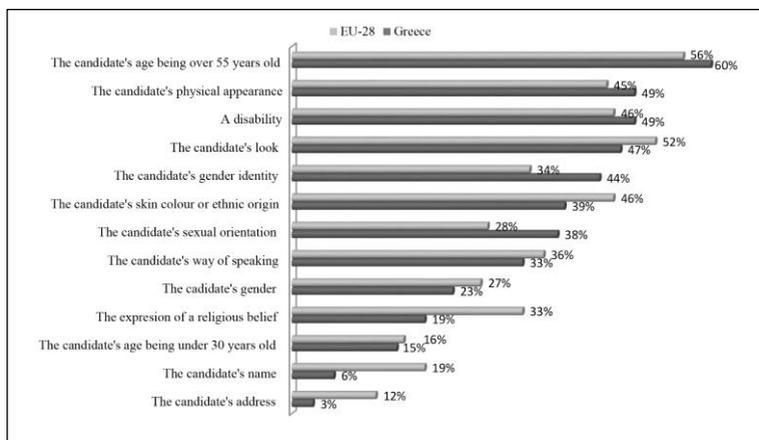


Source: Eurobarometer 83.4, Discrimination in the EU in 2015

Discrimination, however, is also prominent in the workplace. Job candidates' certain characteristics may in most cases act as determinants for their selection or not by prospective employers. When asked “When a company wants to hire someone and has the choice between two candidates with equal skills and qualifications, which of the following criteria may, in your opinion, put one candidate at a disadvantage?”, respondents in Greece consider the candidate's age, specifically being over 55 years old, as the primary criterion of discrimination in the labour

market (60%). This is followed by disability (49%), the candidate's physical appearance (size, weight, face, etc.) (47%), and the candidate's look (manner of dress or presentation) (47%). The candidate's gender identity (being transgender or transsexual) (44%) and his/her skin colour or ethnic origin (39%) are also believed to be significant grounds of discrimination. Age over 55 years old is at the top (56%) when EU-28 is concerned, followed by the candidate's look (52%), disability (46%) and the candidate's skin colour or ethnic origin (46%). The rates are higher in Greece than the average of the EU-28 concerning the factors of age being over 55 years old, the candidate's physical appearance, disability, the candidate's gender identity, and his/her sexual orientation. Figure 2.9 presents in detail the criteria which could put a candidate at a disadvantage in the labour market, as well as response rates for Greece and the EU.

Figure 2.9: Factors that are perceived to put job applicants at a disadvantage in Greece and the EU



Source: Eurobarometer 83.4, Discrimination in the EU in 2015

2.9 The results of the fieldwork research conducted by the National Centre for Social Research

The fieldwork research that was conducted by the National Centre for Social Research on the basis of a specific questionnaire, focused on the examination of multiple discrimination in Greece. In this research, 510 persons participated, giving answers to four different units concerning discrimination and multiple discrimination. From the sample 52.7% were men, 47.1% women and 0.2% transgender.

According to the fieldwork research, the two main grounds for which the respondents believe that discrimination occurs in Greece often and quite often are ethnic or national origin (76.5%) and sexual orientation (70.5%). More analytically, almost 50% of the respondents believe that discrimination on the ground of gender exists often and quite often. Similarly, on the ground of age 51.6% of the respondents consider that discrimination problems exist often and quite often. Moreover 76.5% of the respondents believe that discrimination occurs to a large and very large degree on the basis of ethnic or national origin. Thereafter, 54.1% of the respondents believe that discrimination exists often and quite often on the ground of religion. In addition, 58.1% of the respondents consider that discrimination exists often and quite often on the ground of disability. Finally, 70.5% of the respondents believe that discrimination exists often and quite often on the ground of sexual orientation (Table 2.3).

Table 2.3: How often does discrimination occur in Greece on the basis of each feature?

to a very small degree	4.3
to a small degree	6.5
to a moderate degree	29.4
to a large degree	35.1
to a very large degree	21.5
I do not know / I prefer not to answer	3.2

More than one out of two of the respondents (56.6%) consider that there are discrimination problems in Greece to a large degree and to a very large degree, while 29.4% of the respondents believe that discrimination problems exist to a moderate degree (see Table 2.4).

Table 2.4: To what degree are there multiple discrimination problems in Greece today?

How often does discrimination occur in Greece on the basis of each of the following features?	Never or rarely	Less often	Somewh at often	Often	Quite often
Gender	13.7	15.1	21.3	27.6	22.3
Age	10.1	15.7	22.5	25.8	25.8
Ethnic or national origin	6.3	6.1	11.0	25.8	50.7
Religion	10.5	15.5	19.9	25.8	28.3
Disability	12.4	13.4	16.1	23.1	35
Sexual orientation	9.1	9.5	11.0	26.5	44.0

The respondents, to a very high percentage (70.7%), consider that multiple discrimination occurs often and very often in the sector of employment. The rates are lower in other sectors, i.e. public services (49.1%), healthcare (when accessing healthcare services at GPs, hospitals etc.) (47.4%), education (45.2%), justice (43.5%), means of public transport (42%), using public services (e.g. parks, squares, etc.) (37.2%), bank services (29.8%), using recreation areas/spaces (e.g. coffee shops, cinemas) (24.7%) (Table 2.5). The results of the fieldwork research agree with the equivalent of the Eurobarometer.

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Table 2.5: How often does multiple discrimination occur in Greece in the following sectors?

How often does multiple discrimination occur in Greece in the following sectors?	Never or rarely	Less often	Somewh at often	Often	Quite often
Employment	5.3%	8.2%	15.8%	35.7%	35%
Education	9.9%	16.6%	22.8%	24.6%	20.8%
Healthcare (e.g. when accessing healthcare services at GPs, hospitals, etc.)	10.9%	16.5%	20.6%	23.6%	23.8%
Public services	9.4%	14.2%	22.0%	25.9%	23.2%
Bank services	20.7%	22.9%	20.7%	17.3%	12.5%
Justice	12.7%	13.5%	20.0%	19.6%	23.9%
Means of Public Transport	15.2%	19.6%	19.2%	21.8%	20.2%
Using public spaces (e.g. parks, squares)	16.9%	16.9%	20.9%	21.3%	15.9%
Using recreation areas/spaces (e.g. coffee shops, cinemas)	28.7%	19.7%	20.1%	13.7%	11.0%

More than one in four respondents (26%) say that they have experienced multiple discrimination. More specifically, the persons who have experienced multiple discrimination in the 24 months preceding the survey, felt personally discriminated against once (6.4%), 2-5 times (12.4%), 6-10 times (2.6%), more than 10 times (4.2%).

More than one out of six (62.8%) of the respondents who have experienced multiple discrimination problems, say that they have faced multiple discrimination in employment. This is followed by the sector of healthcare (27.6%), public services (19.4%), means of public transport (17.4%), education (17.06%), using public services (for example parks, squares) (14.3%), justice (13.65%), bank services (12.28%), using recreation areas or spaces (for example coffee shops, cinemas) (11.6%) (Table 2.6).

Table 2.6: In which sectors have you experienced multiple discrimination problems?

Employment	62.8%
Education	17.1%
Healthcare (e.g. when accessing healthcare services at GPs, hospitals etc.)	27.6%
Public services	19.4%
Bank services	12.3%
Justice	13.6%
Means of Public Transport	17.4%
Using public spaces (e.g. parks, squares)	14.3%
Using recreation areas/spaces (e.g. coffee shops, cinemas)	11.6%
Other	9.5%

From the respondents who have experienced multiple discrimination, only 15.9% have reported this experience of multiple discrimination in some official organisation, while 83.7% have not reported this experience.

When participants were asked why they did not report the incident of multiple discrimination they had experienced, they stated among other reasons that they did not think they would win their case (47.2%), that they did not think that they could prove it (22.8%), that the procedure is time-consuming and bureaucratic (18.7%), and that they did not know where to report it (16.7%) (Table 2.7).

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Table 2.7: For which of the following reasons did you not report your experience of multiple discrimination?

Out of fear	6 %
I did not know where to report it	15.6%
I do not speak the language well enough	6%
I did not think I would win my case	47.2%
It happens so often that I didn't bother	15.9%
The procedure is time-consuming and bureaucratic	16.4%
I did not think that I could prove my case	22.8%
Other	6%
I do not know / I prefer not to answer	1%

From the respondents who have experienced multiple discrimination, the great majority reported the case to the police (18.8%). This is followed by report to an association (11.7%) and to the court and NGOs (7.05%) (Table 2.8).

Table 2.8: To which organisation did you report your experience of multiple discrimination?

Police	18.8%
Court	7%
Non-Governmental Organisation (NGO)	7%
Association	11.7%
Other	14.1%
I do not know / I prefer not to answer	35.3%

Moreover, it should be said that only 18.8% knows Law 4443/2016 concerning issues of multiple discrimination, and 75% is not familiar with it.

From the respondents who have experienced multiple discrimination, the great majority would report the incident to the Greek Ombudsman (39.3%), followed by the Police (36.7), the General Directorate of Justice Administration, Transparency and Human Rights (36.3%) and the General Secretariat of Social Security, Hellenic Ministry of Employment and Social Protection (25.4%) (Table 2.9).

Table 2.9: To which of the following organisations would you report an incident of discrimination?

General Directorate of Justice Administration, Transparency and Human Rights	36.3%
General Secretariat of Social Security, Hellenic Ministry of Employment and Social Protection	25.4%
The Greek Ombudsman	39.3%
Hellenic Labour Inspectorate	20.2%
European Institute for Gender Equality	15.3%
Trade Union	10.1%
General Secretariat for Gender Equality	20.8%
Court	17.5%
Police	36.7%
Non-Governmental Organisation (NGO)	8.7%
Other	5,4%

2.10 Results from the World Values Survey (wave 7)

The World Values Survey (WVS) is a recurring research project since 1981 conducted by the World Values Survey Association (WVSA) and founded by the president of the University of Michigan Ronald Inglehart. The questionnaire of WVS-7 is structured in 14 thematic sections, including the Demographic Data Module. The survey was conducted on a sample of 1,200 persons in Greece. The respondents were 46.5% men and 53.5% women. The interviews took place from 08/09/2017 to 16/10/2017 all over Greece. In section E of the questionnaire, there is a list of different groups of people (E18-E26) and the respondents are asked to answer positively or negatively whether they would like to have them as neighbours.

It is important to see that six out of the nine questions (with the exception of E18, E24, and E25) included in this section are similar to the six grounds of discrimination. Table 2.10 points out the specific percentages of positive or negative answers.

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Table 2.10: Which of the following groups of people would you like to have as neighbours?

		Reported	Was not reported	I don't know	No answer
E18	Drug addicts	70%	29.2%	0.6%	0.3%
E19	People of another race	24.4%	74.9%	0.4%	0.3%
E20	People with AIDS	35.1%	63.1%	1.2%	0.7%
E21	Immigrants / Foreign Workers	25.7%	73.6%	0.2%	0.5%
E22	Homosexuals	33.3%	65.6%	0.8%	0.3%
E23	People of different religion	21.6%	77.9%	0.2%	0.3%
E24	Alcohol addicts	57.4%	41.1%	1%	0.5%
E25	Unmarried couples who live together	8%	91.6%	0.2%	0.3%
E26	People who speak a different language	13.5%	86%	0.2%	0.3%

The minority groups can be acceptable or not, but in any case they are not totally rejected. People who speak a different language were not reported in 86% of the cases. Moreover, people of different religion were not reported in 77.9%, people of a different race in 74.9%, immigrants and foreign workers in 73.6% and homosexuals in 65.6%, while people with AIDS in 63.1% of the cases.

In all groups the percentages of answers between men and women do not differentiate more than 1%, with the exception of the group of homosexuals, in which a higher percentage of the men (37.3%) than of the women (29.8%) answer that they would not like to have them as neighbours. In all categories, respondents of primary and secondary education level answer that they would not like all of the above categories as neighbours. Moreover, the respondents of 60+ years old answer negatively to the above questions.

Regarding the question concerning the sector of employment, the respondents answer that when the jobs are rare or few, employers should give priority to Greek employees rather than immigrants in a percentage of 70.5%.

As regards trust issues with people of different religions or nationalities, the majority of the respondents provided negative answers. Specifically, in question E62, the respondents answer that they have little trust (46%) or no trust at all (29.1%) in people of a different religion, with the total percentage of negative answers being 75.1%. In addition, in question E63, concerning nationality, the respondents answer that they have little trust (47.1%) and no trust at all (29.7%) in people of a different nationality, with the total percentage of negative answers being 76.8%.

2.11 Conclusions

The European Union has a strong and long-standing commitment to combat discrimination in employment, founded on a solid legal framework. The principle of equal treatment in employment and training, irrespective of gender, religion or belief, disability, ethnic origin, sexual orientation or age, is ensured at EU level through the Employment Directive, the Racial Equality Directive and numerous gender laws.

The EU has recognised the significance of multiple discrimination, although both the Employment Equality Directive and the Racial Equality Directive do not specifically address the issue. “Explicit provisions are provided in a few Member States” (Chopin and Germaine, 2016: 41). Under EU law, while discrimination may indeed be based on several protected grounds, the CJEU considered that there could be no new category of discrimination consisting of the combination of more than one of those grounds.

According to the European Union FRA report, people originating from ethnic minorities are, on average, five times more likely to suffer from multiple discrimination in relation to people belonging to the majority of the population, especially in access to and quality of healthcare (FRA, 2013:2). Moreover, the victims of multiple discrimination may face difficulties in their successful recourse to justice or other complaint handling bodies.

Policy makers must be encouraged to look at the multidimensional aspects of discrimination. Failure to acknowledge the issue of multiple discrimination in the law more

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often leads to the homogeneity of groups, resulting in policies that refer to the needs of the most dominant members of the group and ignoring the specific needs of subsets within the group (Uccellari, 2008: 28).

A necessary condition for a successful implementation of policies and practices against multiple discrimination is the participation of civil society in their elaboration. Participation of civil society groups working on equality in policy-making processes contributes to make policymaking and implementation more effective in targeting various different forms of multiple discrimination (Lombardo and Bustelo, 2012). Equality bodies can also play an important role regarding the collection and analysis of data from an intersectional perspective.

The existing case law on multiple discrimination in different countries also shows that it is possible, in the field of employment, to handle cases of discrimination where more than one ground is involved, although this may mean that the grounds are argued separately. Legal and institutional barriers in many countries make it difficult to handle situations of multiple discrimination. Legislative conditions are central to promote the recognition and protection of social rights of the groups facing multiple discrimination. The legislation review is a fundamental tool to get to know the limitations and gaps, as well as the possibilities of the legal frame in order to combat multiple discrimination.

Tackling multiple discrimination has two goals: First, to promote respect to human dignity, and, second, using positive measures, to facilitate the expression of different co-existing opinions on identity. There are specific measures that can contribute to the achievement of these goals. These include measures for the improvement of the judicial protection of multiple discrimination victims, as well as for the removal of institutional, social and structural obstacles that exclude these persons from the public space, and in particular from the labour market. The legislation on equality just mentions the prohibited reasons of discrimination and characterises any discriminatory treatment, which is based on more than one reason, as illegal. The said legislation indicatively lists the prohibited reasons of

discrimination and it is at the judge's discretion to identify new such reasons. However, it is useful for the legislator to set the criteria based on which the judge should detect and identify the new reasons of discrimination.

Regarding Greece in particular, under Law 4443/2016 that replaced Law 3304/2005, a comprehensive anti-discrimination legislative framework exists today, which has been complemented with Laws 4074/2012, 4097/2012, 4488/2017 and 4491/2017. The basic goal of the new legislation is the creation of a single, clear, and transparent framework for the implementation of the principle of equal treatment. The new provisions introduce new protected grounds, such as chronic illness, descent, family or social status and gender identity or characteristics. Certain definitions, which were not provided in the previous law 3304/2005, have been added, while the concept of multiple discrimination is defined. The most important feature of the new provisions is the unification of separate jurisdictions under one equality body, the Ombudsman.

According to the annual reports of the Greek Ombudsman it is observed that there is an increase of discrimination cases that fall in the scope of laws 3304/2005 and 4443/2016 mainly in the period 2014-2016, as well as a progressive familiarisation of citizens with the existing legal framework. The two main grounds of citizens' complaints are Roma issues and disability-reasonable adjustments. It is also important to say that cases that have appeared before the Ombudsman, have shown significant multiple discrimination issues.

The findings of the Eurobarometer survey for 2015 in Greece point out that there has been an increase of discrimination of all types with the exception of discrimination based on ethnic origin, the percentage of which has remained steady.

The field research, conducted by the National Centre for Social Research, has revealed that the majority of the multiple discrimination incidents occur in the sector of employment, while 75% of the respondents do not know the specific law concerning multiple discrimination. Only 15.9% of the victims have reported incidents of multiple discrimination, as a result of not trusting the competent authorities, and when asked why they

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did not report the incident, they mainly stated that they did not think they would win their case.

The results of the WVS show that even though there has been improvement in several of the grounds of discrimination, still the majority of the responded provided negative answers indicating trust issues towards people of a different nationality and different religion.

The most significant task of the Greek State is to inform the general public in terms of the multiple discrimination law, as well as to raise awareness and sensitise regarding the ways to tackle discrimination on all grounds and at all levels. This is an ongoing process, to which all stakeholders, public and private organisations, as well as civil society should contribute by forming and supporting more good practices.

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Chapter 3

The regulation of multiple non-discrimination in Greece

*Gabriel Amitsis**

3.1 Introduction

Greece is the EU Member State most impacted by the 2009 financial crisis (Giannitsis and Zografakis, 2015), given that there were neither primary social safety nets for those unable to meet their needs through market or family settings, nor supplementary policies in case of specific needs (Amitsis, 2015). The national social protection model was strongly fragmented, and public spending was focused on civil servants' salaries and state pensions.

Gaps in the development of the rudimentary national welfare schemes (cash benefits, care and integration services for persons at high risk of poverty and social exclusion) could not be addressed within the context of the EU Social Inclusion Strategy, as part of the EU 2020 Strategy, due to certain legal and operational barriers of the hybrid European *social welfare discourse* (Heidenreich and Zeitlin, 2009; De la Porte 2017: 141), strongly influenced by the subsidiarity principle/model of social protection within the EU.

On the other hand, a radical welfare reform was a secondary priority issue within the structural agenda of the three *Economic Adjustment Programmes* (also known as Bailout Programmes), which were implemented since May 2010 by Greece and the major lending international partners (European Commission, European Central Bank, International Monetary Fund). These institutions identified serious problems and shortcomings in the regulation and funding of welfare, and they adopted –through the introduction of specific “*social clauses*”– a controversial social policy agenda with strong financial, but limited, social effects,

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which breaks the traditional limits between national and EU competences in the welfare policy-making process (Amitsis, 2017).

But the monetary aspects of poverty were not the single social issue. Certain groups at high risk of social exclusion (disabled, elderly, Roma, young people, migrants, religious minorities, lesbian, gay, bisexual and transgender) were still faced with non-income problems (Balourdos et. al., 2014); they were subject to de jure or de facto complex discrimination practices (Sarris, 2012; FRA, 2013), which create serious problems in their efforts to be integrated (European Network against Racism, 2013) or to be re-integrated in the economic (Balourdos et. al., 2014) and social life (Balourdos and Mouriki, 2012) of the country.

In this context, this Chapter will discuss the current regulatory framework to prevent and combat multiple discrimination within the domestic legal order, as laid down both in the Constitution and the relevant international legislation applied in Greece. The Constitution is the supreme law of the country. Article 28(1) provides that international conventions ratified by Greece, as well as the “*generally recognised rules of international law*” shall prevail over any other provision of domestic law. Article 28(2) provides that in cases of important national interests, constitutional competence can be delegated to international organisations. The third paragraph of article 28 provides that international treaties can set limits on national sovereignty, so long as the setting of limits is dictated by an important national interest, and does not infringe upon basic rights, democratic governance and equality. The issue of superiority of the EU law to the Constitution is contested, and Greek courts have avoided adjudicating on the topic. Although the dominant constitutional doctrine supports a joint interpretation of paragraphs 2 and 3 of Article 28, EU law *de facto* precedes the Constitution.

3.2 The Constitutional norms

The current Constitution of Greece includes a set of general principles and rights, which form the primary legal framework to prevent and combat multiple discrimination. These are binding

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to the executive branch during the regulatory/rule-making process and the issue of the so-called individual administrative decisions, while citizens are entitled to apply relevant rights during their contacts with public administration agencies and bodies only if the rights into question have been specified by primary legislation.

These principles and rights are:

- a) The principle of human dignity, as laid down in art. 2(1): *“Respect and protection of the value of the human being constitute the primary obligations of the State”*.
- b) The principle of equality, as laid down in art. 4(1): *“All Greeks are equal before the law”*.
- c) The right to free development of one’s personality and participation in the financial, social and political life of the country, as laid down in art. 5(1): *“All persons shall have the right to develop freely their personality and to participate in the social, economic and political life of the country, insofar as they do not infringe the rights of others or violate the Constitution and the good usages”*.
- d) The right to non-discrimination, as laid down in art. 5(2): *“All persons living within the Greek territory shall enjoy full protection of their life, honour and liberty irrespective of nationality, race or language and of religious or political beliefs. Exceptions shall be permitted only in cases provided by international law”*.
- e) The right to health and gender identity, as laid down in art. 5(5): *“All persons have the right to the protection of their health and of their genetic identity. Matters relating to the protection of every person against biomedical interventions shall be specified by law”*.
- f) The right to the protection of personal data, as laid down in art. 9A: *“All persons have the right to be protected from the collection, processing and use, especially by electronic means, of their personal data, as specified by law. The protection of personal data is ensured by an independent authority, which is constituted and operates as specified by law”*.

- g) Religious freedom, as laid down in art. 13(1): *“Freedom of religious conscience is inviolable. The enjoyment of civil rights and liberties does not depend on the individual’s religious beliefs”*.
- h) The freedom of speech and the press, as laid down in art. 14(1): *“Every person may express and propagate his thoughts orally, in writing and through the press in compliance with the laws of the State”*.
- i) The right to free education, as laid down in art. 16(4): *“All Greeks are entitled to free education on all levels at State educational institutions. The State shall provide financial assistance to those who distinguish themselves, as well as to students in need of assistance or special protection, in accordance with their abilities”*.
- j) The right of family, marriage and children to special protection, as laid down in art. 21(1): *“The family, being the cornerstone of the preservation and the advancement of the Nation, as well as marriage, motherhood and childhood, shall be under the protection of the State”*.
- k) The right to social welfare, as laid down in art. 21(3): *“The State shall care for the health of citizens and shall adopt special measures for the protection of youth, old age, disability and for the relief of the needy”*.
- l) The right of disabled persons to integration, as laid down in art. 21(6): *“People with disabilities have the right to benefit from measures ensuring their self-sufficiency, professional integration and participation in the social, economic and political life of the Country”*.
- m) The right to equal remuneration, as laid down in art. 22(1): *“All workers, irrespective of gender or other distinctions, shall be entitled to equal pay for work of equal value”*.

The Greek Constitution does not include any specific provision that establishes the right to administrative judicial review in cases of multiple discrimination, given that according to the case law and the dominant legal doctrine this right forms part of the broader right to access to justice, as laid down in art.

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20(1) of the Constitution: *“Every person shall be entitled to receive legal protection by the courts and may plead before them his views concerning his rights or interests, as specified by law”*.

But the fundamental process to apply the right to administrative judicial review both in the rule-making process (i.e. the process that the executive uses to create, or promulgate, regulations) and in the decision making of individual administrative decisions (they do not form a source of binding law in the Greek hierarchy of rules) is regulated by art. 95 of the Constitution:

“1. The jurisdiction of the Supreme Administrative Court pertains mainly to:

a) The annulment upon petition of enforceable acts of the administrative authorities for excess of power or violation of the law.

*** b) The reversal upon petition of final judgements of ordinary administrative courts, as specified by law.*

c) The trial of substantive administrative disputes submitted thereto as provided by the Constitution and the statutes.

d) The elaboration of all decrees of a general regulatory nature.

2. The provisions of article 93 paragraphs 2 and 3 shall not be applicable in the exercise of the competence specified under subparagraph (d) of the preceding paragraph.

*** 3. The trial of categories of cases that come under the Supreme Administrative Court’s jurisdiction for annulment may by law come under ordinary administrative courts, depending on their nature or importance. The Supreme Administrative Court has second instance jurisdiction, as specified by law.*

4. The jurisdiction of the Supreme Administrative Court shall be regulated and exercised as specifically provided by law.

*** 5. The Public Administration shall be bound to comply with judicial decisions. The breach of this obligation shall render any competent agent liable, as specified by law. The law shall specify the measures necessary for ensuring the compliance of the Public Administration”*.

The *Council of State* acts as the *Supreme Administrative Court* laid down in the art. 95 of the Constitution. It comprises the Presiding Board (the President and 7 Vice-presidents), 42 Privy Councillors, 48 Associate Judges and 50 Reporting Judges, all graduates of the National School of Judges. It executes its jurisdiction in Plenary Session or in six Chambers (each Chamber may have two compositions: five-member or seven-member).

3.3 The UN norms

Greece is bound by specific UN non-discrimination norms, given that it has ratified the key UN International Treaties, all of which contain a prohibition on discrimination:

- ❑ the *International Covenant on Civil and Political Rights* (16 December 1966);
- ❑ the *International Covenant on Economic, Social and Cultural Rights* (16 December 1966);
- ❑ the *Convention on the Elimination of All Forms of Racial Discrimination* (4 January 1969);
- ❑ the *Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* (9 December 1975);
- ❑ the *Convention on the Elimination of Discrimination against Women* (18 December 1979);
- ❑ the *Convention on the Rights of the Child* (20 November 1989);
- ❑ the *Convention on the Rights of Persons with Disabilities* (13 December 2006)¹.

¹ The Convention on the Rights of Persons with Disabilities (UNCRPD) contains an extensive list of rights for persons with disabilities, aimed at securing equality in the enjoyment of their rights, as well as imposing a range of obligations on the State to undertake positive measures. This binds EU institutions, and will bind the Member States when they apply EU law. In addition, individual Member States are currently in the process of acceding to the UNCRPD in their own right, which will also impose obligations directly upon them. The UNCRPD forms a

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(a) The *Convention on the Elimination of All Forms of Racial Discrimination* was ratified by Legislative Decree 474/1970, which provides the single definition of '**racial discrimination**'² in the Greek legal order. It should be noticed that Greece applies no distinction between discrimination based on 'race' and discrimination based on 'ethnic origin', since there is not any separate legal definition of 'ethnic origin' in the domestic system.

(b) The *International Covenant on Civil and Political Rights* was ratified by Law 2462/1997, the *UN Convention on the Elimination of Discrimination against Women* was ratified by Law 1342/1983, the *International Covenant on Economic, Social and Cultural Rights* was ratified by Law 1532/1985 and the *UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment* was ratified by Law 1782/1988.

(c) The *Convention on the Rights of the Child* was ratified by Law 2101/1992, which guarantees in article 2 the rights of any child³ without discrimination of any kind:

*"1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction **without discrimination of any kind**, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.*

*2. States Parties shall take all appropriate measures to ensure that the child is protected **against all forms of discrimination or punishment on the basis of the status, activities, expressed***

reference point for the interpretation of both EU and ECtHR law relating to discrimination on the basis of disability.

² Art. 1 par. 1 states that '*racial discrimination means any distinction, exclusion, restriction or preference based on race, colour, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life*'.

³ A child means every human being below the age of eighteen years unless, under the law applicable to the child, majority is attained earlier.

opinions, or beliefs of the child's parents, legal guardians, or family members”.

(d) The *Convention on the Rights of Persons with Disabilities* (UNCRPD) was ratified by Law 4074 /2012, which provides the key definition of ‘*disability discrimination*’⁴ in the Greek legal order and includes non-discrimination among its principles, given that article 3 states:

“The principles of the present Convention shall be:

- 1. Respect for inherent dignity, individual autonomy including the freedom to make one’s own choices, and independence of persons;*
- 2. Non-discrimination;**
- 3. Full and effective participation and inclusion in society;*
- 4. Respect for difference and acceptance of persons with disabilities as part of human diversity and humanity;*
- 5. Equality of opportunity;*
- 6. Accessibility;*
- 7. Equality between men and women;*
- 8. Respect for the evolving capacities of children with disabilities and respect for the right of children with disabilities to preserve their identities”.*

This Convention contains an extensive list of rights for persons with disabilities, aimed at securing equality in the enjoyment of their rights, as well as imposing a range of obligations on the State to undertake positive measures. This binds EU institutions, and will bind the Member States when they apply EU law. In addition, individual Member States are currently in the process of acceding to the UNCRPD in their own right, which will also impose obligations directly upon them. The UNCRPD forms a reference point for the interpretation of both EU and ECtHR law relating to discrimination on the basis of disability.

⁴ Art. 1 par. 2 states that ‘*persons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others*’.

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(e) The sound implementation of Law 4074/2012 is supported by Law 4488/2017. This specific legislation introduces a series of reforms designed to promote equal treatment of disabled persons, full enjoyment of fundamental rights, and to facilitate their lives and daily routine. At the same time, the proposed regulations promote their treatment not as persons with needs, but as persons with potential, which the state must recognise, in order to allow them to gain access to every aspect of social and economic life. In this context, the new arrangements aim at specifying, clarifying and assisting the implementation of the provisions of the International Convention on the Rights of Persons with Disabilities.

As a matter of principle, any natural person or public organisation in the wider public or private sector is required to facilitate the equal exercise of the rights of persons with disabilities in their respective fields of competence or activity by taking all appropriate measures and refraining from any action which may affect the exercise of their rights. In this respect, they are required: a) to remove any existing barriers, b) to observe the principles of universal design in all areas of competence or activity in order to ensure that persons with disabilities have access to infrastructure, services or goods they offer, c) to provide, where necessary in a specific case, reasonable adjustments in the form of tailor-made and appropriate modifications, arrangements and appropriate measures, without imposing disproportionate or unjustified burden, d) to abstain from practices, habits and behaviour which discriminate against disabled people, e) to promote, through positive measures, the equal participation and exercise of the rights of persons with disabilities in the area of their competence or activity. Special sanctions are not provided, but general obligations (such as “*breach of duty*” regarding public authorities) could be applied. Both obligations to remove barriers and to adopt positive measures are equally important.

In particular, Article 63 of the Law provides for the universal design of administrative products, environments and services and reasonable adjustments: Administrative bodies and authorities

are required to take appropriate measures tailored to the particular needs of one or more people with disabilities in order to ensure the principle of equal treatment. Article 64 deals with the access to the natural, structured and electronic environment: Administrative bodies and authorities within their competence should ensure equal access for people with disabilities to the electronic environment especially concerning electronic communications, information and services, including the media and internet services. Article 65 regulates the communication of people with disabilities with administrative authorities, languages and forms of communication. This means: recognizing sign language as equivalent to the Greek language, recognizing Greek Braille as a way of writing for Greek blind citizens, the obligation of the state to cover all communication needs of the deaf and blind citizens.

Article 66 relates to information, awareness-raising, education and training on the rights of disabled people: Universities and Technical Educational Institutions, the National Centre for Public Administration and Local Government, the National School of Judicial Officers and the National School of Public Health should ensure the inclusion of the rights of people with disabilities, as derived from the Convention, within their teaching curricula and training seminars. Finally, Article 67 establishes non-discrimination in the media and audiovisual services: all public and private mass media, either newspapers or TV and radio, should promote consolidation and respect for the principle of non-discrimination. The responsible authority for this is the National Council of Radio and Television. The provision concerns only mass media companies and implies that not only are they obliged to promote non-discrimination as a principle within their programmes, but they are also obliged to provide services that are accessible to persons with disabilities.

The new legislation also provides the relevant definitions (“disabled people”, “adjustments”, etc.) and guidelines for the equal exercise of the rights of people with disabilities and the mainstreaming of disability in all public policies. The Minister for Territorial Coordination is appointed as Coordinating

Mechanism for monitoring all issues related to the Rights of Persons with Disabilities. The Law also establishes:

- ❑ the General Secretariat for Transparency and Human Rights of the Ministry of Justice, Transparency and Human Rights as a focal point of reference for issues related to the implementation of the Convention;
- ❑ the Secretary General or Administrator at each Ministry as a point of reference for monitoring the implementation of the Convention per sector of governmental competence;
- ❑ the Ombudsman, the constitutionally established Independent Authority, as the framework body for the promotion of the implementation of the Convention.

3.4 The Council of Europe norms

Greece is bound by specific Council of Europe non-discrimination norms, given that it has ratified:

- ❑ the European Convention on Human Rights (ECHR), also known as the Convention for the Protection of Human Rights and Fundamental Freedoms⁵;
- ❑ the Revised European Social Charter (RESC)⁶;
- ❑ the Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (ECPT)⁷.

It has also signed –but not ratified– the Framework Convention for the Protection of National Minorities (FCNM) and the Convention on Action against Trafficking in Human

⁵ Greece ratified ECHR by Legislative Decree 53/1974. But it has not ratified yet the crucial Protocol 12, which prohibits discrimination in relation to ‘enjoyment of any right set forth by law’ and is thus greater in scope than Article 14, which relates only to the rights guaranteed by the ECHR.

⁶ The Revised European Social Charter was signed by Greece on 3 May 1996 and ratified by Law 4358/2016 ‘On the ratification of the Revised European Social Charter’ (OJ 5 A’/20.1.2016). The vulnerable groups protected by the Charter include, *inter alia*, persons with disabilities, elderly, young persons and legal migrant workers.

⁷ It was ratified by Law 1949/1991.

Beings (CATHB), but it did not sign the European Charter for Regional and Minority Languages (CRML).

(a) The ECHR sets out a legally binding obligation on its members to guarantee a list of human rights to everyone (not just citizens) within their jurisdiction. Its implementation is reviewed by the European Court of Human Rights (ECtHR) (originally assisted by a Commission), which hears cases brought against Member States. The Council of Europe currently has 47 members and any State wishing to join must also accede to the ECHR.

The ECHR has been altered and added to since its inception in 1950 through what are known as 'Protocols'. The most significant procedural change to the ECHR was Protocol 11 (1994), which turned the ECtHR into a permanent and full-time body, and abolished the Commission.

Currently EU law and the ECHR are closely connected. All Member States of the EU have joined the ECHR. The Charter of Fundamental Rights also reflects (though is not limited to) the range of rights in the ECHR. Accordingly, EU law, even though the EU is not yet actually a signatory to the ECHR, is largely consistent with the ECHR. However, if an individual wishes to make a complaint about the EU and its failure to guarantee human rights, they are not entitled to take the EU, as such, before the ECtHR. Instead they must either: make a complaint before the national courts, which can then refer the case to the ECJ through the preliminary reference procedure; or complain about the EU indirectly before the ECtHR while bringing an action against a Member State.

The ECHR non-discrimination framework has two specific objectives (European Court of Human Rights and FRA, 2011):

Firstly, it stipulates that those individuals who are in similar situations should receive similar treatment and not be treated less favourably simply because of a particular 'protected' characteristic that they possess (**direct discrimination**).

Secondly, it stipulates that those individuals who are in different situations should receive different treatment to the extent that this is needed to allow them to enjoy particular opportunities on the same basis as others; thus, those same

‘protected grounds’ should be taken into account when carrying out particular practices or creating particular rules (**indirect discrimination**).

Article 14 guarantees equality ‘[i]n the enjoyment of ... [the] rights and freedoms’ set out in the ECHR. The ECtHR will therefore not be competent to examine complaints of discrimination unless they fall within the ambit of one of the rights protected by the ECHR.

The ECHR contains an open-ended list of *protected grounds*⁸, given that article 14 states that there shall be no discrimination ‘*on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status*’. The category of ‘other status’ has allowed the ECtHR to include those grounds (among others) that are expressly protected by the non-discrimination directives, namely: disability, age and sexual orientation.

Whenever the ECtHR considers an alleged violation of Article 14, this is always done in conjunction with a substantive right. An applicant will often allege a violation of a substantive right, and in addition a violation of a substantive right in conjunction with Article 14. In other words, the interference with their rights was, in addition to failing to meet the standards required in the substantive right, also discriminatory in that those in comparable situations did not face a similar disadvantage. It is often the case that, where the ECtHR finds a violation of the substantive right, it will not go on to consider the complaint of discrimination where it considers that this will involve an examination of essentially the same complaint.

⁸ A ‘protected ground’ is a characteristic of an individual that should not be considered relevant to the differential treatment or enjoyment of a particular benefit.

When applying Article 14, the ECtHR has adopted a wide interpretation of the scope of ECHR rights:

- firstly, the ECtHR has made clear that it may examine claims under Article 14 taken in conjunction with a substantive right, even if there has been no violation of the substantive right itself;
- secondly, it has held that the scope of the ECHR extends beyond the actual letter of the rights guaranteed. It will be sufficient if the facts of the case broadly relate to issues that are protected under the ECHR.

The ECHR imposes duties on all Member States of the Council of Europe (which includes all the Member States of the EU) to guarantee the rights in the ECHR to all individuals within their jurisdiction (including non-nationals). In this context, Greece was found to violate ECHR rights due to discrimination on the grounds of national origin.

The case of *Zeïbek v. Greece* (ECtHR, *Zeïbek v. Greece* (No. 46368/06), 9 July 2009)

The applicant was refused a pension entitlement intended for those with 'large families'. While she had the requisite number of children, one of her children did not hold the Greek nationality at the time the applicant reached pensionable age. This situation had resulted from the government's earlier decision to remove nationality from the applicant's entire family (which itself was tainted with irregularities) and then reissuing nationality only to three of her children (since the fourth was already married). The ECtHR found that a policy of revocation of nationality had been applied in particular to Greek Muslims, and that the refusal of the pension could not be justified on the basis of preserving the Greek nation as this reasoning itself amounted to discrimination on the grounds of national origin.

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(b) The Revised European Social Charter of 1996 embodies in one instrument all rights guaranteed by the Charter of 1961, its additional Protocol of 1988 (ETS No. 128) and adds new rights and amendments adopted by the Parties. It is gradually replacing the initial 1961 treaty.

The European Social Charter (revised) guaranteed fundamental social and economic rights of all individuals in their daily lives. It takes account of the evolution which has occurred in Europe since the Charter was adopted in 1961, and includes the following:

New rights: right to protection against poverty and social exclusion; right to housing; right to protection in cases of termination of employment; right to protection against sexual harassment in the workplace and other forms of harassment; **rights of workers with family responsibilities to equal opportunities and equal treatment**⁹; rights of workers' representatives in undertakings;

⁹ Art. 27 states that:

“With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

1. to take appropriate measures:

a. to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;

b. to take account of their needs in terms of conditions of employment and social security;

c. to develop or promote services, public or private, in particular child daycare services and other childcare arrangements;

2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;

3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment”.

Amendments: reinforcement of the principle of non-discrimination¹⁰; improvement of gender equality in all fields covered by the treaty; better protection of maternity and social protection of mothers; better social, legal and economic protection of employed children; better protection of handicapped people.

(c) The Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment was concluded in the conviction that “*the protection of persons deprived of their liberty against torture and inhuman or degrading treatment or punishment could be strengthened by non-judicial means of a preventive character based on visits*”¹¹. In its operative part, the Convention does not set or specify standards, neither does it provide for any complaint or adjudicatory procedures. The objective of the Convention is more complex; it is not to apply the law to certain established facts or situations and, if the circumstances so demand, to condemn a certain state for malconduct. The object is “*in a spirit of cooperation and through advice, to seek improvements, if necessary, in the protection of persons deprived of their liberty*”. The underlying idea is to monitor and thereby improve the environment, i.e. places where persons are deprived of their liberty up to a point where torture and inhuman or degrading treatment or punishment will come under routine control or will no longer occur at all. Toward this

¹⁰Art. 20 states that:

“*With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:*

- a. access to employment, protection against dismissal and occupational reintegration;*
- b. vocational guidance, training, retraining and rehabilitation;*
- c. terms of employment and working conditions, including remuneration;*
- d. career development, including promotion”.*

¹¹ Preamble paragraph 5.

end, the Convention provides for a complex and sensitive mechanism of *on-site inspections* of prisons and other places of detention, involving communication and interaction between the Committee, its members, including experts, the government of the Party concerned and its competent authorities, private persons deprived of their liberty and other persons who might supply relevant information, including NGOs.

3.5 The EU norms

As an EU Member State since 1981, Greece applies non-discrimination norms laid down in the following secondary binding law:

- Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (9 February 1976)¹²;
- Council Directive 79/7/EEC on the progressive implementation of the principle of equal treatment for men and women in matters of social security (19 December 1978);
- Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin (29 June 2000);
- Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation (27 November 2000);
- Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in

¹² Directive 76/207 was amended by Directive 2002/73/EC and Directive 2006/54/EC, in order to be harmonised with Directives 2000/43/EC and 2000/78/EC and bring together in a single text the main provisions existing in this field of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions, occupational social security schemes, equal pay for equal work or work of equal value, the burden of proof in cases of discrimination based on sex, as well as certain developments arising out of the case-law of the Court of Justice of the European Union.

the access to and supply of goods and services (13 December 2004);

- Directive 2006/54/EC on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (5 July 2006);
- Directive 2010/41/EU on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity or contributing to the pursuit of such activity;
- Directive 2014/54/EE on measures facilitating the exercise of rights conferred on workers in the context of freedom of movement for workers.

a) The **Racial Equality Directive** and the **Employment Equality Directive** were transposed into the Greek legal order through Law 3304/2005, which prohibits discriminatory treatment on the grounds of ethnic or racial origin or religious or other beliefs, disability, age or sexual orientation, during transactions regarding provision of goods or services to the public. For such offences, the law foresees imprisonment of between six months and three years and a fine of between €1,000 and €6,000. Following the provision of Article 3 par. 2 of the Racial Equality Directive, it does not cover difference of treatment based on nationality and is without prejudice to provisions and conditions relating to the entry into and residence of third-country nationals and stateless persons on the territory of Member States, and to any treatment which arises from the legal status of the third-country nationals and stateless persons concerned (Sitaropoulos, 2002).

The task of the promotion of equal treatment was assigned to three institutions:

- the Ombudsman, tasked with the promotion of equal treatment in regard to public authorities;
- the Committee for Equal Treatment supervised by the Ministry of Justice, Transparency and Human Rights, tasked with the promotion of equal treatment in regard to individuals and private entities;

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- the Labour Inspectorate supervised by the Ministry of Employment and Social Security, tasked with the promotion of equal treatment in regard to employment.

(b) Law 3304/2005 was replaced by Part A' of Law 4443/2016, which re-transposes the anti-discrimination Directives and transposes Directive 2014/54/EE. Reflecting a single equality approach, this legislation merges the grounds of the anti-discrimination Directives, adds new grounds and extends the protection afforded by Directive 2000/78 to all the grounds; it also adds new fields and extends the Ombudsman's powers to the private sector. 'Sex' or 'gender' is not among the grounds, but it may be deemed to be concerned *via* the new ground of '*gender identity or gender characteristics*'.

The transposition of Directive 2014/54 is evaluated as inadequate by leading national law experts (Theodoridis, 2016: 10); 'EU nationality' is not a protected ground, while several provisions of this Directive are not transposed. On the other hand, mixing the transposition of the three Directives may well create confusion (Koukoulis-Spiliotopoulos, 2017), as the legal basis, the aim and the scope of Directive 2014/54 differ from those of the anti-discrimination Directives¹³. The legal basis of the latter was Article 13 TEC (now Article 19 TFEU), which enables the competent EU institutions to take measures to combat discrimination on the grounds that it lists; the legal basis of Directive 2014/54 is Article 46 TFEU, which provides for the taking of measures for achieving freedom of movement of workers within the EU¹⁴.

¹³ The anti-discrimination Directives apply to '*all persons*' in the public and private sectors, while Directive 2014/54 applies to '*Union workers and members of their family*'. It covers the fields listed in both anti-discrimination Directives, plus 'tax advantages', 'access to education, apprenticeship and vocational training for the children of Union workers', and 'assistance afforded by employment offices'.

¹⁴ The Preamble to Directive 2014/54 stipulates that '*enforcement of that fundamental freedom should take into consideration the principle of equality between women and men*'.

Part A' of Law 4443/2016 now forms the key anti-discrimination instrument in the domestic legal order¹⁵. Its aim, as laid down in art. 1, is to promote the equal treatment principle by combating discrimination on the grounds listed in the anti-discrimination Directives, plus 'colour', 'genetic features', 'chronic illness', 'family or social status' and 'gender identity or characteristics', and to implement Directive 2014/54.

The concept of discrimination is defined in art. 2, which states that 'any discrimination' on the above grounds is prohibited, but the terms 'direct or indirect' are missing. The definitions of direct and indirect discrimination, harassment and instruction to discriminate are copied from the anti-discrimination Directives and further concepts are defined: 'discrimination due to relationship', 'discrimination due to perceived characteristics'. Moreover, 'refusal of reasonable accommodation' for persons with a handicap or chronic illness constitutes discrimination. 'Multiple discrimination' is prohibited and defined by reference to the grounds covered by the Law. While 'sex' or 'gender' is not among these grounds, it may be deemed to be covered via 'gender identity or gender characteristics'; however, it would be in more conformity with the Treaty obligation to mainstream gender equality and to the purpose of the prohibition of multiple discrimination to add 'sex' or 'gender' for the purposes of 'multiple discrimination'.

Article 3 mentions the fields listed in art. 3 of Directive 2000/78, the additional fields listed in art. 3 of Directive 2000/43, plus '*tax facilitations or advantages*', as laid down in art. 2 of Directive 2014/54; however, other fields listed in that article ('access to education, apprenticeship and vocational training for the children of Union workers', 'assistance afforded by employment offices') are missing¹⁶.

¹⁵ Art. 3(5) states that the Law does not apply to the armed forces regarding different treatment on grounds of age, disability or chronic illness related to their service.

¹⁶ Article 24 enables the competent Ministers to extend the scope of the Law by Decree.

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Protection of wronged persons is regulated in art. 8, which addresses both extra judicial (through the *Administrative Procedure Code – APC*¹⁷) and judicial protection¹⁸. Par. 3 provides that legal entities, including trade unions, ‘*may represent the wronged person before the courts and any administrative authority or body, subject to this person’s prior consent given by notarised act [...], or by private deed bearing a certified signature*’. Legal entities should act in their own name.

This system is established in the **Code of Civil Procedure** (CCP) for persons or legal entities who/which, though not holders of the right affected, may become litigants in their own name. For example, *locus standi* is granted to workers’ and employers’ organisations to exercise in their own name before the courts some rights of their members and intervene in their favour in a trial initiated by them. The personal and material scope of the relevant provision is narrower than the scope of the provision of the Directives, but the *ratio* is the same.

This provision was not extended in line with the Directives; the EU rule is thus not applied, as it is unknown to litigants and judges. There is no such provision for administrative trials. According to the APC, it is only when a legal entity is wronged itself that it can have recourse to the courts.

The requirement of ‘*prior consent*’ of the wronged person is incompatible with the Directives, which require an ‘approval’ that may be given after the legal entity has lodged the proceedings¹⁹. Moreover, this may well make the protection illusory, as until consent is given, the time periods for lodging the remedy may well have expired. Such time periods are often quite short. Thus, e.g., a civil action seeking a declaration of

¹⁷ Law 2690/1999, OJ A’ 45/1999.

¹⁸ Par. 1 states that: ‘*In case of non-observance of the equal treatment principle in the context of administrative action, the wronged person is afforded, besides judicial protection, protection under the Code of Administrative Proceedings*’.

¹⁹ The different context between ‘consent’ (to be given prior to the action concerned) and ‘approval’ (which may follow the action) is regulated by articles 236-238 of the Greek Civil Code.

invalidity of a dismissal must be lodged within three months of the dismissal; an action before administrative courts for the annulment of an unlawful administrative act, such as a dismissal or a refusal to hire, must be lodged within 60 days from the date on which the wronged person learnt about the act.

Par. 4 provides that legal entities ‘*may intervene in favour of the wronged person in a trial initiated by this person in accordance with Articles 80 et seq. [CCP] and 113 et seq. [APC]*’. The litigation costs are reduced when entities intervene, but not when they take cases to court themselves. Under the CCP, interventions are allowed at all stages of the civil trial, including the final appeal trial before the Supreme Civil Court, but under the APC, interventions are only allowed in first instance and appeal administrative trials. There is no provision in the Greek procedural law granting *locus standi* to legal entities to intervene before the Council of State²⁰ (CS) in favour of a claimant. The procedural legislation prohibits interventions before the CS at the final appeal trial (art. 55 of Presidential Decree 18/1989), and it only allows interventions in annulment trials in the CS in favour of the administrative act challenged, not in favour of the claimant (art. 49 of Presidential Decree 18/1989).

Article 11 provides for penal sanctions for violations of the Law in the provision of goods and services. No penal sanctions for other fields are provided, although they are otherwise common, in particular in the field of labour law. The only sanctions for violations in the field of employment are administrative. As ‘EU citizenship’ is not a protected ground, neither penal nor administrative sanctions apply to the violations of Directive 2014/54.

No civil sanctions are provided. However, the traditional remedies and sanctions, which are effective, proportionate and dissuasive and are also applied in gender equality cases, are not affected. The claimant is put in the position in which he/she would have been in had the illegal act or omission not occurred: civil courts declare an unlawful refusal to hire or promote null

²⁰ This is the Supreme Administrative Court.

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and void; the hiring or promotion is deemed to exist from the time it should have occurred. Administrative courts annul such a refusal and order a retroactive hiring or promotion²¹. Civil courts declare an unlawful dismissal null and void; administrative courts annul it²²; the dismissal is deemed never to have occurred; the worker retains his/her post, reinstatement not being necessary.

One of the key provisions of the new legislation corresponds to the unification of separate jurisdictions –private and public– under one equality body, the Ombudsman. Therefore, the Committee for Equal Treatment, established under previous anti-discrimination legislation, will no longer have jurisdiction over discrimination in the private sector and will thus be abolished (Theodoridis, 2016).

This change was introduced in order to address a procedure which was initiated by the European Commission in 2014 on the possible breach of Directive 2000/43/EC of the Council. The breach concerned the effectiveness and independence of the previous equality bodies under Law 3304/2005 during the exercise of their special jurisdiction as bodies tasked with promotion and supervision of the principle of equal treatment.

Under art. 12, the Ombudsman will be tasked with the monitoring and promotion of equal treatment not only for the public sector, but for the private sector as well. At the same time, 10 more staff positions will be created so as to accommodate permanent Legal Officers or Legal Officers with open-ended

²¹ Refusals to hire due to maximum quotas for women: SCPC (Civil Section) 1360/1992 (nullity of refusal; retroactive effects); CS 1229/2008 (annulment of refusal; retroactive effects); CS 13/2015 (annulment of the exclusion of a pregnant candidate from the fire corps because she could not take the fitness tests).

²² SCPC (Civil Section) 85/1995, 593/2006, 496/2011 (dismissal of women at pensionable age which was at the time lower than the pensionable age for men); 2035/2002 (dismissal of a pregnant woman; knowledge of the pregnancy by the employer is irrelevant); 1591/2010 (dismissal of a mother during the period for which she was entitled to reduced working time).

private law contracts. In reference to the services for the supervision and promotion of equal treatment, the General Secretariat for Transparency and Human Rights of the Ministry of Justice, within the framework of its jurisdiction for the protection of human rights and the combating of all forms of discrimination, will provide for the promotion of equal treatment. The Social Protection Directorate of the Ministry of Labour will, *inter alia*, monitor the application of anti-discrimination policies in the field of labour and employment, inform employees and employers on issues related to discrimination in the field of employment and raise awareness, as well as provide scientific support to the Labour Inspectorate Body.

In fact, “*art. 16 requires cooperation amongst all of the aforementioned bodies, as well as with the Economic and Social Committee, the senior union organisations in the private and public sectors, the National Social Solidarity Centre, the National Centre for Social Research, the Centre for Equality Research, the Centre for Disease Control and Prevention and the Central Union of Greek Municipalities, as well as with civil society organisations with expertise on anti-discrimination. In reference to raising awareness and disseminating information, art. 17 stipulates that employers, as well as those in charge of vocational training, shall ensure the application of anti-discrimination provisions and provide equality bodies with all the necessary information for the promotion of equal treatment, as per their mandate. Union organisations shall inform their members of the content of anti-discrimination provisions, as well as the measures that are carried out for the application and promotion of equal treatment*” (Theodoridis, 2016).

Apart from these fundamental non-discrimination Directives, Greece also applies the following set of EU instruments which include norms against discrimination:

(a) The *Council Framework Decision 2008/913/JHA* on combating certain forms and expressions of racism and xenophobia by means of criminal law (Framework Decision on

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Racism and Xenophobia)²³ was transposed into the Greek legal order through Law 4285/2014.

(b) *Directive 2000/31/EC* of the EP and EC on certain legal aspects of information society services, in particular electronic commerce, in the internal market, was transposed into the Greek legal order through Presidential Decree 131/2003.

(c) The *Audio-visual Media Services Directive*²⁴ was transposed into the Greek legal order²⁵ through Presidential Decree 109/2010, which provides under Article 7 that audio-visual service providers must ensure that programmes do not

²³ The Framework Decision on combating certain forms and expressions of racism and xenophobia by means of criminal law was adopted on 28 November 2008 by the Council, with the aim to fight against racist and xenophobic speech and crime, by means of criminal law. It regulates that offences exist when directed against a group of persons (or a member of such a group) defined by reference to race, colour, religion, descent or national or ethnic origin. They include the following intentional actions:

- publicly inciting to violence or hatred, including via the public dissemination or distribution of tracts, pictures or other material;
- publicly condoning, denying or grossly trivialising the crimes defined in Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 August 1945, as well as crimes of genocide, crimes against humanity and war crimes as defined in Articles 6, 7 and 8 of the Statute of the International Criminal Court, when the conduct is carried out in a manner likely to incite violence or hatred against such a group or members of a group.

²⁴ Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (*Audiovisual Media Services Directive*), available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:095:0001:0024:EN:PDF>.

²⁵ Article 6 of the Directive stipulates that “*Member States shall ensure by appropriate means that audio-visual media services provided by media service providers under their jurisdiction do not contain any incitement to hatred based on race, sex, religion or nationality*”.

cause hate due to race, sex, religion, beliefs, nationality, disability, age and sexual orientation, and they must also not take advantage of people's superstitions and prejudices. The National Council for Radio and Television is empowered through Article 4(2) to temporarily suspend broadcasting of television programmes –under certain conditions that include notification of the European Commission– if their content “*encourages hate on grounds of race, sex, religion, beliefs, nationality, disability, age and sexual orientation*”²⁶.

3.6 Conclusion

The regulation of multiple non-discrimination in the domestic legal order is to be found in a complex set of Constitutional and international norms applied by Greece. A more solid framework was established for the very first time by art. 2 par. 1 (h) of Law 3996/2011, which states that:

“... [the Labour Inspectorate] supervises the implementation of the principle of equal treatment irrespective of racial or ethnic origin, religion or other beliefs, disability, age or sexual orientation, taking into consideration instances of multiple discrimination in accordance with Article 19 of Law 3304/2005 [...]”

But a sound definition of ‘multiple discrimination’ was only introduced by art. 2 par. 2 (g) of Law 4443/2016, which makes reference to: “*any discrimination, exclusion or restriction of a person based on multiple grounds of discrimination*”. This is used as an overarching, neutral notion for all instances of discrimination on several discriminatory grounds (FRA, 2015).

This phenomenon can manifest itself in two ways. First, there is ‘additive discrimination’, where discrimination takes place on the basis of several grounds operating separately. Second, there is ‘intersectional discrimination’, where two or more grounds interact in such a way that they are inextricable.

²⁶ Such a penalty has not, however, been applied to date.

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Chapter 4

Preliminary findings of the survey on multiple discrimination in Greece

*Evangelia Tserpeli**

4.1 Introduction

Within the framework of the European research programme “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions”, a field study was conducted by the National Centre for Social Research (EKKE) to investigate the experience of multiple discrimination among vulnerable groups. The purpose of the research was to highlight the reasons, the fields and the implications of multiple discrimination with the aim to put forward proposals to improve the institutional framework; to change civil servants’ attitudes on issues of multiple discrimination and to raise awareness. A mixed method design was used. Both the quantitative and qualitative parts were run simultaneously. For the quantitative part of the study, a survey was designed especially for the purposes of the project which was administered, to participants in the local area of Athens, Attica. For the purposes of the qualitative study, semi-structured interviews were conducted with 36 participants who met certain eligibility criteria, i.e. they combined at least two characteristics on the basis of which multiple discrimination might occur. For example, immigrant women, immigrant women of various religious beliefs, men or women with a disability and of ethnic origin other than Greek etc.

In the rest of the current chapter, we describe the methodology for the quantitative part of the study and present some results.

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4.2 Method

4.2.1 Participants

The sample of the current study comprised people from vulnerable groups. These participants were approached by interviewers-researchers who addressed disadvantaged groups such as people with a disability, associations of ethnic minority groups etc.

Participants filled out a questionnaire in the presence of an interviewer. Snowball and purposive sampling were implemented and this resulted to 507 questionnaires having been filled. Two questionnaires were excluded from the analysis as they were incomplete. Thus, the total number of questionnaires included in the analysis was 505. Data collection was carried out during the period of March-July 2017.

4.2.2 Research instrument: survey

The questionnaire used in the field research was especially designed so as to explore the phenomenon of multiple discrimination and specifically the participants' experiences and views. It is a self-report questionnaire which consists of the following sections:

- A. Personal information
- B. Multiple discrimination participants' views
- C. Multiple discrimination personal experience
- D. Knowledge of rights

The questionnaire was accompanied by a research information sheet which provided the participants with information as to the rationale and aims of the study. Given the fact that Greek Law on multiple discrimination (Law 4443/2016) was recently introduced, i.e. in 2016, it was anticipated that participants might not have been aware of the definition of the term, since the study took place from March till July 2017. Therefore, the legal definition of the term was explicitly stated.

The questions that were included in section A, were concerned with each participant's individual characteristics, the

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composition of their family, their employment status, them being a person with a disability or with a long-term illness etc. The information collected by these questions regarded the following:

- Gender
- Age
- Marital status
- Family composition
- Number of children
- Age of children
- Nationality
- Years of residency in Greece
- Religion
- Education
- Years of schooling
- Employment status
- Insurance at work
- Membership of a network/organisation that supports people's rights
- Sexual orientation
- Special needs or long-term condition
- Family income

In section B, participants were asked to provide their opinion about the dimensions of the phenomenon of multiple discrimination in Greece. To avoid any misconceptions, the legal definition for multiple discrimination was provided once more along with two examples of multiple discrimination, one for a male person and one for a female person respectively. The questions in this section were grouped as follows:

- 1) Questions about how often participants believed that discrimination takes place in Greece on the basis of gender, age, national or ethnic origin, religious beliefs, disability and sexual orientation.
- 2) Questions about the degree to which participants believe that problems of multiple discrimination exist in Greece.
- 3) Questions about how often participants believed that multiple discrimination occurs in Greece in the fields of:

employment; education; access to healthcare services; public services transactions and transactions with banks; the justice system; the Means of Public Transport; using public and recreation spaces.

In section C, the participants' self-perceived experiences of discrimination and multiple discrimination were explored. What was also explored was being aware of any multiple discrimination experience(s) of a relative or friend.

The questions investigated the following with regards to the participants' self-perceived experience:

- 1) Whether participants reported self-perceived discrimination or multiple discrimination (yes/no).
- 2) Frequency of self-perceived discrimination.
- 3) Sectors where participants experienced multiple discrimination (e.g. employment, education).
- 4) Whether the experience(s) affected the participant (yes/no).
- 5) The extent to which the participant was affected by the experience.
- 6) The areas of the participant's life that were affected by the experience.
- 7) The participant's personal features on the basis of which the multiple discrimination incident(s) took place.
- 8) Whether the participants reported the incident.
- 9) The outcome of the reporting.
- 10) The reason(s) for which the incident was not reported (in case it had not been reported).
- 11) The organisation to which the incident was reported (in case it had been reported).
- 12) Whether the participant's employment status was assumed by the participant to be a factor (social determinant) for self-perceived discrimination and to what extent.
- 13) Whether the participant's financial situation was assumed by the participant to be a factor (social

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determinant) for self-perceived discrimination and to what extent.

- 14) Whether the participant's trust towards public institutions was affected.
- 15) Awareness of any multiple discrimination experience of a relative or friend.

Finally, in section D, the questions included investigated whether participants were aware of the existing legislation and, additionally, asked them to choose from a list of organisations those to which participants themselves would report an incident of multiple discrimination.

4.3 Results. Section A: Participants' demographic information.

Five hundred and five participants completed the survey. Regarding the composition of the sample by gender, 52.87% of the participants were male and 46.93% were female. There was also one transgender participant (0.2%) (Table 4.1).

Table 4.1: Participants' gender (N, %)

Gender	Frequency	Percentage (%)
Male	267	52.87%
Female	237	46.93%
Transgender	1	0.2%
Total	505	100.00%

According to Table 4.2, 12.08% of the participants are male and fall into the 26-35 years old category, whereas 7.52% of the participants are female and aged 26-35 years old. Twelve point forty eight percent of the participants are female aged 46-55 years old, whereas 10.30% of the participants are male and fall in the above age category. The one transgender participant of the sample falls in the age group of 46-55 years old.

Table 4.2: Participants by age group and gender(N, %)

Age group	Gender (frequency)			Gender (%)			Total
	Male	Female	Trans-gender	Male (%)	Female (%)	Trans-gender (%)	
up to 25 years old	53	33	0	10.50%	6.53%	0%	17.03%
26-35	61	38	0	12.08%	7.52%	0%	19.60%
36-45	47	38	0	9.31%	7.52%	0%	16.83%
46-55	52	63	1	10.30%	12.48%	0.20%	22.97%
56-65	27	32	0	5.35%	6.34%	0%	11.68%
65+	17	26	0	3.37%	5.15%	0%	8.51%
Missing	10	7		1.98%	1.39%		
Total by gender	267	237	1	52.87%	46.93%	0.20%	100.00%
Total sample	505						

With regards to the participants’ marital status (Table 4.3), 39.6% of the participants reported that they were single (the transgender participant falls into this category), whereas 43.8% stated that they were married. 25.3% of the participants are male and single, whereas 14.1% of the participants are female and single. Male and female married participants are almost equally represented in the category of married participants (22% and 21.8% respectively).

Table 4.3: Participants’ marital status by gender (N, %).

Marital status	Gender (frequency)			Gender (%)			Total
	Male	Female	Trans-gender	Male (%)	Female (%)	Trans-gender (%)	
Single	128	71	1	25.3%	14.1%	0.20%	39.6%
Married	111	110	0	22.0%	21.8%	0%	43.8%
Separated	1	7	0	0.2%	1.4%	0%	1.6%
Divorced	13	20	0	2.6%	4.0%	0%	6.5%
Widowed	3	19	0	0.6%	3.8%	0%	4.4%
In civil partnership	10	9	0	2.0%	1.8%	0%	3.8%
I do not know / I prefer not to answer	1	1	0	0.2%	0.2%	0%	0.4%
Total by gender	267	237	1	52.87%	46.93%	0.20%	100%
Total sample	505						

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As it can be seen in Table 4.4, 89% of the sample are Greek nationals (both men and women). European nationals comprise 0.59% of the total sample, whereas third country nationals comprise 9% respectively. Other nationals represent 0.6% of the sample.

At this point it is worth mentioning that the “European national” category includes the following nationalities: Bulgarian and Italian. The “Third country national” category includes participants with the following nationalities: Egyptian, Albanian, Brazilian, Georgian, Indonesian, Iraqi, Chinese, Moldavian, Ukrainian, Pakistani, Russian and Syrian.

Table 4.4: Participants’ nationality by gender (N, %)

Nationality	Male	Female	Trans-gender	Male (%)	Female (%)	Trans-gender (%)	Total
Greek national	235	214	1	47%	42%	0.20%	89%
European national	2	1	0	0.40%	0.20%	0%	0.59%
Third country national	23	21	0	4.55%	4.16%	0.00%	9%
Other national	2	1	0	0.40%	0.20%	0.00%	0.59%
Missing	5	0	0	0.99%	0.00%	0.00%	0.99%
Total by gender	267	237	1	52.87%	46.93%	0.20%	100.00 %
Total sample	505						

The majority of the participants stated that their religious belief is Christian (81.78%), 8.51% that it is Islamic and 5.15% of the participants reported that they are Atheist (Table 4.5).

Table 4.5: Participants' religious belief (N, %)

Religion	Frequency	Percentage (%)
Christian	413	81.78%
Muslim	43	8.51%
Hindu	0	0.00%
Buddhist	1	0.20%
Jewish	0	0.00%
Atheist	26	5.15%
Other	12	2.38%
I do not know / I prefer not to answer	7	1.39%
Missing	3	0.59%
Total	505	100.00%

An almost equal number of participants reported that they have graduated from the Lyceum or are higher education graduates (24.55% and 24.36% respectively). 15.25% of the participants had nine years of schooling, whereas 2.97% of the participants had received no education (Table 4.6).

Table 4.6: Participants' level of education (N, %)

Education	Frequency	Percentage (%)
None	15	2.97%
Primary school (6 years)	47	9.31%
Secondary school (9 years)	77	15.25%
Secondary Vocational Training	29	5.74%
Lyceum (12 years)	124	24.55%
Post-secondary vocational training	86	17.03%
Higher education	123	24.36%
Missing	4	0.79%
Total	505	100.00%

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In terms of the participants' employment status, 28.91% reported that they are long-term unemployed, 12.08% stated that they work occasionally, whilst 21% are in full time employment. The "Other" category includes responses such as "Fixed term contract", "Freelancer", "Subsidised contract" (Table 4.7).

Table 4.7: Participants' employment status (N, %)

Employment status	Frequency	Percentage (%)
I am unemployed for less than 12 months	51	10.10%
I am unemployed for more than 12 months (long term unemployment)	146	28.91%
I work occasionally; I do not hold a stable job	61	12.08%
I work part time	33	6.53%
I work full time	106	20.99%
I am a housewife	9	1.78%
I am a pensioner	56	11.09%
Other	39	7.72%
Missing	4	0.79%
Total	505	100.00%

Half of the participants (52%) are insured at work, while 36% are not. 3% of the participants stated "I do not know/I prefer not to answer", whereas 9% of the total sample did not respond to this question (Table 4.8).

Table 4.8: Participants' insurance at work (N, %)

Insurance at work	Frequency	Percentage (%)
Yes	264	52%
No	180	36%
I do not know / I prefer not to answer	17	3%
Missing	44	9%
Total	505	100%

Two thirds (67%) of the participants stated that they are not members of a trade union (Table 4.9).

Table 4.9: Participants' membership in trade unions (N, %)

Trade union membership	Frequency	Percentage (%)
Yes	112	22%
No	340	67%
I do not know / I prefer not to answer	34	7%
Missing	19	4%
Total	505	100%

Almost 92% of the participants reported that their sexual orientation is heterosexual; 3.96% stated that they are of gay/lesbian orientation and last, almost 2% of the participants identified themselves as bisexual (Table 4.10).

Table 4.10: Participants' sexual orientation (N, %)

Sexual orientation	Frequency	Percentage (%)
Heterosexual	464	91.88%
Gay/Lesbian	20	3.96%
Bisexual	10	1.98%
I do not know / I prefer not to answer	3	0.59%
Missing	8	1.58%
Total	505	100%

Almost nine out of ten participants reported that they have no special needs (88.91%), whereas the remaining 9% stated they have special needs (Table 4.11).

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Table 4.11: Participants with special needs (N, %)

Special needs	Frequency	Percentage (%)
Yes	46	9.11%
No	449	88.91%
I do not know / I prefer not to answer	3	0.59%
Missing	7	1.39%
Total	505	100%

In addition to the above question, it was further explored whether participants had a long-term condition. As a long-term condition is regarded an illness that cannot be cured, but can usually be controlled with medicines or other treatments. Examples of long-term conditions include thalassemia, asthma, heart failure, kidney failure, Alzheimer’s etc. This clarification was provided to the participants, 18.42% of whom reported that they have a long-term condition (Table 4.12).

Table 4.12: Participants’ long-term condition status (N, %)

Long-term condition	Frequency	Percentage (%)
Yes	93	18.42%
No	375	74.26%
I do not know / I prefer not to answer	4	0.79%
Missing	33	6.53%
Total	505	100%

Participants were asked to indicate the range of their family income among a number of choices. One third (30%) of the participants reported that their income is up to 4,500 Euros, one fourth (24%) of the participants responded that their income is between 6,001 and 12,000 Euros, while 12% reported that their income lays in the range of 4,501 and 6,000 Euros. It should be

noted that 17% of the participants did not report their income (Table 4.13).

Table 4.13: Participants' family income (N, %)

Income	Frequency	Percentage (%)
up to 4,500 Euros	154	30%
between 4,501 and 6,000 Euros	60	12%
between 6,001 and 12,000 Euros	121	24%
between 12,001 and 20,000 Euros	43	9%
between 20,001 and 30,000 Euros	24	5%
between 30,001 and 40,000 Euros	4	1%
more than 40,000 Euros	3	1%
I do not know / I prefer not to answer	85	17%
Missing	11	2%
Total	505	100%

4.4 Section B. Views about multiple discrimination.

Participants were asked how often they believe discrimination takes place in Greece on the basis of each of the following characteristics: gender, age, national or ethnic origin, religious beliefs, disability and sexual orientation.

The highest percentages for all the above six attributes are recorded under the “Often” and “Quite often” categories. More specifically, the highest percentages were reported for the characteristic of national or ethnic origin, for which 49% of the participants said that it happens quite often. Next follows the characteristic of sexual orientation, for which 40% of the participants stated that it happens quite often. Disability discrimination is considered to take place quite often too, by 33% of the participants (Table 4.14).

Table 4.14: Participants' views about how often discrimination occurs in Greece on the basis of gender, age, ethnic or national origin, religion, disability and sexual orientation (%)

	Never or rarely	Less often	Somewhat often	Often	Quite often	I do not know / I prefer not to answer	Missing	Total
How often does discrimination occur in Greece on the basis of gender ?	13%	14%	20%	27%	21%	3%	2%	100%
How often does discrimination occur in Greece on the basis of age ?	10%	15%	21%	24%	25%	3%	2%	100%
How often does discrimination occur in Greece on the basis of ethnic or national origin ?	6%	6%	11%	25%	49%	2%	2%	100%
How often does discrimination occur in Greece on the basis of religion ?	10%	14%	19%	24%	26%	4%	3%	100%
How often does discrimination occur in Greece on the basis of disability ?	12%	12%	15%	22%	33%	4%	2%	100%
How often does discrimination occur in Greece on the basis of sexual orientation ?	8%	9%	10%	24%	40%	7%	2%	100%

As it can be inferred from Table 4.15, which presents the cumulative percentages for the “Often/Quite Often” categories, these are high. More specifically, it is worth noting that 74% of the participants reported that discrimination on the basis of ethnic or national origin takes place often/quite often. Similarly, 64% of the participants stated that discrimination on the basis of sexual orientation occurs often/quite often. Regarding the characteristics of gender, age, religion and disability, approximately half of the participants responded that discrimination on the basis of the above characteristics takes place often/quite often (48%, 49%, 50% and 54% respectively).

These findings should be interpreted with caution, taking into account the methodological limitations of the research (see sampling).

Table 4.15: Cumulative percentage of frequency of discrimination for the categories “often” and “quite often” by characteristic (%)

Characteristic	Often	Quite often	Total
How often does discrimination occur in Greece on the basis of gender ?	27%	21%	48%
How often does discrimination occur in Greece on the basis of age ?	24%	25%	49%
How often does discrimination occur in Greece on the basis of ethnic or national origin ?	25%	49%	74%
How often does discrimination occur in Greece on the basis of religion ?	24%	26%	50%
How often does discrimination occur in Greece on the basis of disability ?	22%	33%	54%
How often does discrimination occur in Greece on the basis of sexual orientation ?	24%	40%	64%

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Participants were next asked to express their opinion about the degree to which problems of multiple discrimination exist in Greece.

Eleven per cent of the participants reported that such problems exist from a very small up to a small degree, about one third (29%) stated that these kinds of problems exist to a moderate degree, and 56% of the participants, i.e. slightly more than half of them, said that multiple discrimination problems exist from a large to a very large degree (Table 4.16).

Table 4.16: Degree to which multiple discrimination problems exist in Greece. Participants' views (%)

	Frequency	Percentage	Cumulative percentage
to a very small degree	22	4%	
to a small degree	33	7%	11%
to a moderate degree	147	29%	
to a large degree	177	35%	
to a very large degree	107	21%	56%
I do not know / I prefer not to answer	16	3%	
Missing	3	1%	
Total	505	100%	

Participants' views as to the frequency with which multiple discrimination occurs in various sectors were asked next (Table 4.17).

In terms of the occurrence of multiple discrimination in the employment sector, 68% of the participants responded that the phenomenon takes place often/quite often.

In terms of education, 46% of the participants stated that multiple discrimination in this sector occurs often/quite often. At this point, it should be noted that 35% of the participants reported that multiple discrimination in education happens rarely to somewhat often. In addition, 16% of the participants chose the response "I do not know/ I prefer not to answer".

Table 4.17: Occurrence of multiple discrimination in various sectors in Greece. Participants' views (%)

	Never or rarely	Less often	Somewhat often	Often	Quite often	I do not know / I prefer not to answer	Missing	Total
How often does multiple discrimination occur in Greece in the sector of employment?	5%	8%	1.5%	34%	34%	3%	1%	100%
How often does multiple discrimination occur in Greece in the sector of education?	10%	5%	20%	24%	22%	16%	3%	100%
How often does multiple discrimination occur in Greece in the sector of healthcare? (e.g. when accessing healthcare services at GPs', hospitals etc.)	10%	16%	20%	24%	23%	5%	1%	100%
How often does multiple discrimination occur in Greece in the sector of public services?	9%	14%	22%	26%	23%	6%	1%	100%
How often does multiple discrimination occur in Greece in the sector of bank services?	21%	22%	21%	17%	12%	6%	1%	100%
How often does multiple discrimination occur in Greece in the sector of justice?	12%	13%	19%	19%	23%	10%	4%	100%
How often does multiple discrimination occur in Greece in the sector of Means of Public Transport?	15%	19%	19%	22%	20%	4%	2%	100%
How often does multiple discrimination occur in Greece in public spaces (e.g. parks, squares)	16%	20%	21%	21%	15%	5%	2%	100%
How often does multiple discrimination occur in Greece in recreation areas/spaces (e.g. coffee shops, cinemas)	28%	19%	20%	14%	10%	7%	2%	100%

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In terms of healthcare, 47% of the participants responded that multiple discrimination in this sector, takes place often/quite often. On the other hand, 46% of the participants stated that multiple discrimination in this sector happens rarely –less often/somewhat often (cumulative percentage for the latter categories).

In terms of public services, 49% of the participants, i.e. half of them, responded that multiple discrimination in this sector occurs often/quite often. Approximately one tenth of the participants (9%) stated that multiple discrimination in this sector is rare, while 14% and 22% of the participants replied that multiple discrimination occurs less often and somewhat often respectively.

In terms of bank services, 29% of the participants responded that multiple discrimination in this sector occurs often/quite often. On the other hand, 64% of the participants stated that multiple discrimination in the sector of bank services happens rarely/less often/somewhat often.

In terms of the justice sector, four out of ten participants (42%) stated that multiple discrimination in this sector occurs often/quite often.

In terms of the Means of Public Transport, using public spaces and public recreation areas/spaces, participants responded that multiple discrimination takes place often/quite often (42%, 36% and 24% respectively).

4.5 Section C. Multiple discrimination experiences

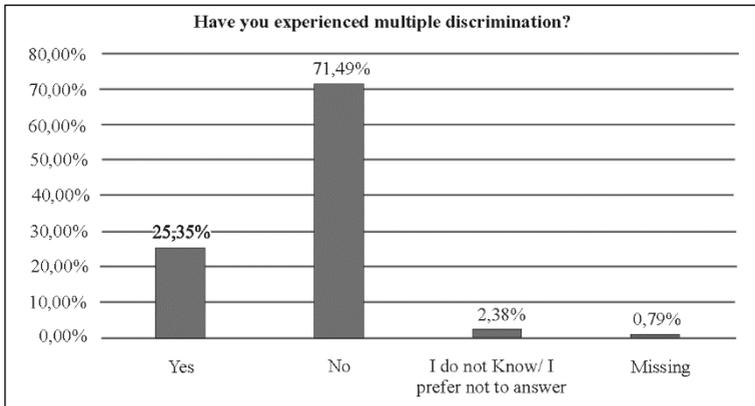
Half of the participants reported that they have experienced discrimination, i.e. 51%, whereas 47% responded that they had not experienced discrimination. There were no missing data for this question. Two per cent of the participants responded “I do not know/I prefer not to answer” (Table 4.18).

Table 4.18: Participants’ experience of discrimination (N, %)

Have you experienced discrimination?	Frequency	Percentage (%)
Yes	259	51%
No	238	47%
I do not know / I prefer not to answer	8	2%
Missing	0	0%
Total	505	100%

To the question “Have you experienced multiple discrimination?” 25.35% of the participants answered affirmatively and 71.49% answered negatively (Figure 4.1).

Figure 4.1

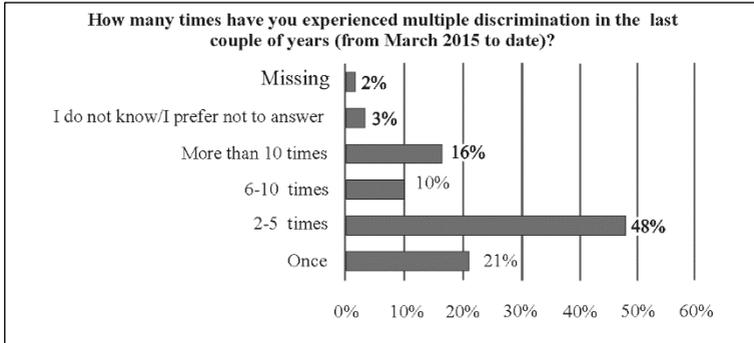


Regarding the question “How many times have you experienced multiple discrimination in the last couple of years”, about half of the respondents (48%), who had previously answered that they had experienced multiple discrimination, stated that they had suffered multiple discrimination from 2 to 5 times over a two-year period. Another 16% answered that they had been multiply discriminated against more than 10 times,

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whereas one fifth of the multiply discriminated participants said that they had this experience once (Figure 4.2).

Figure 4.2



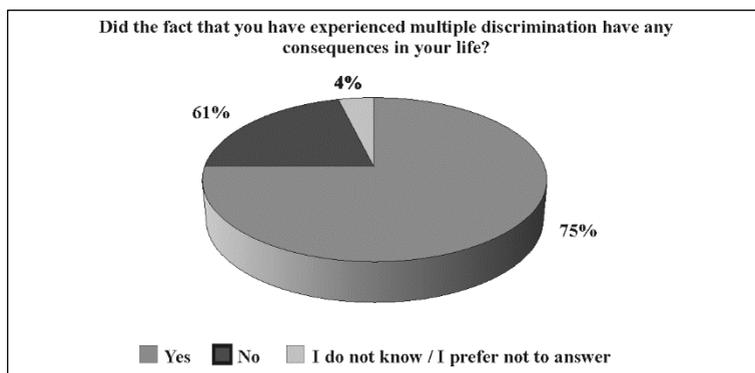
Participants were then asked in which sectors they had experienced multiple discrimination problems. This was a multiple-choice question; thus, participants could choose more than one sector if applicable. Of those who responded that they had faced multiple discrimination ($N = 128$), 63.3% reported that they tackled problems in the employment sector, followed by 29.7% in the health sector. For the remaining sectors the percentages range from 14% to 20.3%. The “other” category included sectors such as “family environment”, “friends and acquaintances”, “social environment” and “neighbourhood” (Table 4.19).

Table 4.19: Sectors in which participants experienced multiple discrimination problems (N, %)

In which sectors have you experienced multiple discrimination problems?	Frequency		Percentage %		Total
	Yes	No	Yes	No	
Employment	81	47	63.3	36.7	128
Education	24	104	18.8	81.3	128
Healthcare (e.g. when accessing healthcare services at GPs', hospitals etc.)	38	90	29.7	70.3	128
Public services	26	102	20.3	79.7	128
Bank services	17	111	13.3	86.7	128
Justice	20	108	15.6	84.4	128
Means of Public Transport	24	104	18.8	81.3	128
Using public spaces (e.g. parks, squares)	18	110	14.1	85.9	128
Using recreation areas/spaces (e.g. coffee shops, cinemas)	18	110	14.1	85.9	128
Other (please specify)	14	114	10.9	89.1	128

When asked whether multiple discrimination affected the participants' lives, 75% of respondents answered that it did affect their life, and 21% said that it did not. Four per cent stated that they did not know or preferred not to answer (Figure 4.3).

Figure 4.3



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The participants who said their life was affected ($N=96$) were then asked to what degree the incident of multiple discrimination affected their life. Almost half of them, i.e. 49% responded that the impact of the experience affected their life to a large/very large degree. The incident had a moderate effect for 35.4% of the participants (Table 4.20).

Table 4.20: Degree to which participants' lives had been affected due to the experience of discrimination (N, %)

To what degree has the fact that you have experienced discrimination affected your life?	Frequency	Percentage(%)
to a very small degree	4	4.2
to a small degree	10	10.4
to a moderate degree	34	35.4
to a large degree	32	33.3
to a very large degree	15	15.6
I do not know / I prefer not to answer	1	1.0
Total	96	100.0

Next question was about which sectors in a participant's life had been affected by the experience of multiple discrimination. This was a multiple-choice question. The financial and the professional sector were reported to be the most affected sectors. The "Other" category included responses such as "University" and "the psychological" sector (Table 4.21).

Table 4.21: Participants' areas of life affected by multiple discrimination experience (N, %)

Which area(s) of your life has/have been affected by the fact that you have experienced multiple discrimination?	Frequency		Percentage %	
	Yes	No	Yes	No
Financial	70	26	73%	27%
Family	40	56	42%	58%
Legal	14	82	15%	85%
Professional	47	49	49%	51%
Social	33	63	34%	66%
Friends	15	81	16%	84%
Other	6	90	6%	94%

Next, when participants were asked whether they had reported their experience of multiple discrimination to any official organisation, 80.5% said “no”, whereas only 16.4% answered positively (Table 4.22).

Table 4.22: Participants who reported their experience of multiple discrimination (%)

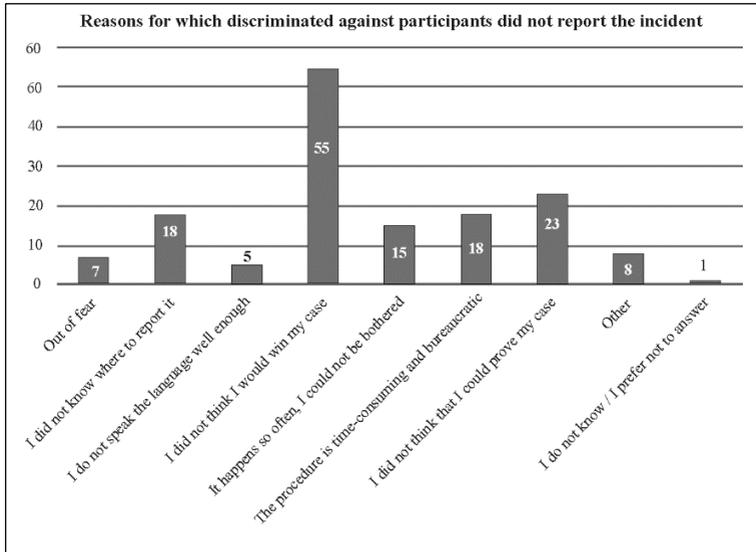
Have you reported your experience of multiple discrimination to any official organisation?	Percentage (%)
Yes	16.4
No	80.5
I do not know/ I prefer not to answer	3.1
Total	100.0

When participants were asked why they did not report the incident of multiple discrimination they had experienced, they stated among other reasons that they did not think they would win their case, that they did not think that they could prove it,

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that the procedure was time-consuming and bureaucratic and that they did not know where to report it. For this question, participants were asked to choose as many reasons as applicable (Figure 4.4).

Figure 4.4



It was consequently explored to which organisations participants reported the incident of multiple discrimination. From the participants who reported the event, 28.6% went to the Police, 19% addressed an association, 14.3% reported it to an NGO, whereas 10% filed a complaint to the Court. The “Other” category included responses such as “Strasbourg, E.U. Parliament”, “Ministry of Health” and “Local Authority” (Table 4.23).

Table 4.23: Organisations to which participants reported the incident of multiple discrimination (N, %)

To which organisation did you report your experience of multiple discrimination?	Frequency	Percentage %
Police	6	28.6
Court	2	9.5
Non-Governmental Organisation (NGO)	3	14.3
Association	4	19.0
Other (please specify)	4	19.0
I do not know / I prefer not to answer	1	4.8
Missing	1	4.8
Total	21	100.0

To the question whether the issue was resolved following its reporting to the above organisations, almost 62% of the participants responded that it was not resolved whereas about one third responded affirmatively (Table 4.24).

Table 4.24: Resolution of reported multiple discrimination issue.

Was the issue resolved, when you reported your experience of multiple discrimination?	Frequency	Percentage (%)
Yes	7	33.3
No	13	61.9
I do not know / I prefer not to answer	1	4.8
Total	21	100.0

The following questions attempted to investigate the participants' views as to whether participants' own financial and employment status played a role in their experiencing multiple discrimination and to what extent. With regards to the financial status, 51.6% of the participants responded that it played a role, whereas 37.5% responded that it did not play a role (Table 4.25).

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About 11% of the participants did not provide an answer or stated they did not know/they preferred not to answer.

Table 4.25: Role of financial status to experiencing multiple discrimination: participants' views (N, %)

Did your financial status play a role in your experiencing multiple discrimination?	Frequency	Percentage (%)
Yes	66	51.6
No	48	37.5
I do not know / I prefer not to answer	8	6.3
Missing	6	4.7
Total	128	100.0

According to the participants who answered the above question, the financial situation somehow contributed to experiencing multiple discrimination from a large to very large degree for 56% of them. On the other hand, 4.5% stated that their financial situation played a very small role in experiencing multiple discrimination (Table 4.26).

Table 4.26: Degree to which the participants' financial status had a role in experiencing multiple discrimination: participants' views (N, %)

To what degree did your financial status play a role in your experiencing multiple discrimination?	Frequency	Percentage (%)
to a very small degree	3	4.5
to a small degree	5	7.6
to a moderate degree	21	31.8
to a large degree	22	33.3
to a very large degree	15	22.7
Total	66	100.0

Similarly, the participants' employment status played a role in experiencing multiple discrimination according to 58.6% of them (Table 4.27).

Table 4.27: Role of employment status to experiencing multiple discrimination: participants' views (N, %)

Did your employment status play a role in your experiencing multiple discrimination?	Frequency	Percentage (%)
Yes	75	58.6
No	44	34.4
I do not know / I prefer not to answer	6	4.7
Missing	3	1.6
Total	128	100.0

More specifically, 48.6% of the participants who responded affirmatively that their employment status played a role in the experience of multiple discrimination, stated that this was to a large/very large degree. The degree of the role of employment status was very small according to 6.7% of the participants (Table 4.28).

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Table 4.28: Degree to which the participants' employment status played a role in experiencing multiple discrimination: participants' views (N, %)

To what degree did your employment status play a role in your experiencing multiple discrimination?	Frequency	Percentage (%)
to a very small degree	5	6.7
to a small degree	6	8.0
to a moderate degree	25	33.3
to a large degree	19	25.3
to a very large degree	17	22.7
I do not know / I prefer not to answer	3	4.0
Total	75	100.0

Next, participants were asked whether their trust towards public institutions had been affected, and, if it had been, to what extent.

Nearly two thirds of the participants (65.6%) responded that their trust towards public institutions had been affected (Table 4.29).

Table 4.29: Participants' trust towards public institutions (N, %)

Has your trust towards public institutions been affected by the fact that you have experienced multiple discrimination?	Frequency	Percentage (%)
Yes	84	65.6
No	33	25.8
I do not know / I prefer not to answer	9	7.0
Missing	2	1.6
Total	128	100.0

From the participants who responded that their trust towards public institutions was affected due to their experiencing multiple discrimination, 33% responded that their trust was affected to a

large degree, and about 38% said that their trust was affected to a very large degree. Cumulatively, 71.4% of the affected participants stated that their trust was affected to a large/very large degree (Table 4.30).

Table 4.30: Degree to which the participants' trust towards public institutions was affected(N, %)

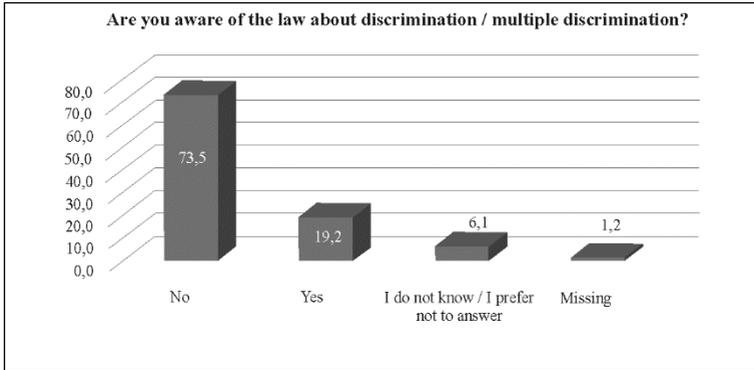
To what degree has your trust towards public institutions been affected by the fact that you have experienced multiple discrimination?	Frequency	Percentage (%)
to a very small degree	2	2.4
to a small degree	5	6.0
to a moderate degree	16	19.0
to a large degree	28	33.3
to a very large degree	32	38.1
I do not know / I prefer not to answer	1	1.2
Total	84	100.0

4.6 Section D. Awareness of Rights

To the question of whether they are aware of the multiple discrimination law, 73.5% of the participant sample said they do not know it. While less than one-fifth, i.e. 19.2% of the participants positively affirmed that they were aware of the law.

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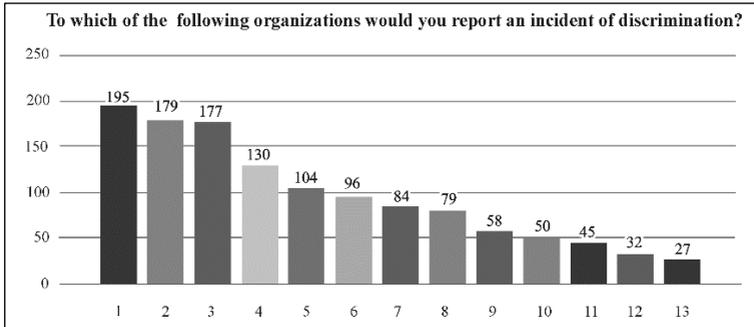
Figure 4.5: Participants' awareness about the discrimination/multiple discrimination law (N, %).



Next, participants were asked to state to which organisations/bodies they would report an incident of discrimination. They were asked to choose as many organisations as applicable. The list of organisations to choose from included the following:

- General Secretariat of Social Security, Hellenic Ministry of Employment and Social Protection
- The Greek Ombudsman
- Hellenic Labour Inspectorate
- European Institute for Gender Equality
- Any Trade Union
- General Secretariat for Gender Equality
- Court
- Police
- Non-Governmental Organisation (NGO)
- Other
- None of the above, I would deal with it on my own
- I do not know/I prefer not to answer

Figure 4.6: Organisations to which participants would report an incident of discrimination.



1. The Greek Ombudsman
2. Police
3. General Directorate of Justice Administration, Transparency and Human Rights
4. General Secretariat of Social Security, Hellenic Ministry of Employment and Social Protection
5. General Secretariat for Gender Equality
6. Hellenic Labour Inspectorate
7. Court
8. European Institute for Gender Equality
9. None of the above, I would deal with it on my own
10. Trade Union
11. Non-Governmental Organisation (NGO)
12. I do not know/I prefer not to answer
13. Other

As you can see from Figure 4.6, the ranking order of the suggested organisations/bodies is as follows:

- 1st. The Greek Ombudsman
- 2nd. Police
- 3rd. General Directorate of Justice Administration, Transparency and Human Rights
- 4th. General Secretariat of Social Security, Hellenic Ministry of Employment and Social Protection
- 5th. General Secretariat for Gender Equality

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- 6th. Hellenic Labour Inspectorate
- 7th. Court
- 8th. European Institute for Gender Equality
- 9th. None of the above, I would deal with it on my own
- 10th. Trade Union
- 11th. Non-Governmental Organisation (NGO)
- 12th. I do not know/I prefer not to answer
- 13th. Other

The final question in section D asked participants to suggest 5 ways in which the State could possibly tackle multiple discrimination. Participants were given the instruction to list their suggestions in hierarchical order according to the degree of significance each suggestion bore for them.

A content analysis was performed and participants' responses were coded. At this point, it should be noted that the response rate from the first suggestion to the last declined. Thus, missing data ranged from 16.83% to 94.46%.

The emergent categories following the analysis are:

1. Information,
2. Education – culture,
3. Legislation,
4. Institutions' role,
5. Rights,
6. Advocacy, and
7. Changing society.

Information includes propositions put forward by the participants that included citizens, students and civil servants. The main idea is that all stakeholders' awareness about multiple discrimination should be raised through workshops, seminars, information days and cultural antiracist/anti-xenophobic events. The Media appear to have an active role in this along with the potential use of the Internet.

Participants also suggested that the legislative framework became stricter with the aim that laws are enforced and implemented. They also referred to the establishment of public services to which citizens could turn when they experience

multiple discrimination. More specifically, it was suggested that helplines and relevant structures be set up in local authorities.

Education and culture were deemed important as to the shaping of people's values and therefore participants asked for the improvement of the education system and the implementation of all necessary work at school. They put forward the fostering of cultural values and positive attitudes to diversity. Changing society, improving it in terms of values such as politeness, kindness, meritocracy, and respect were presented as additional ways of tackling multiple discrimination.

In terms of rights, the recommended ideas referred both to "the formulation of laws which will defend people's rights with clarity" and citizen awareness about what their rights are and how they will claim them.

Last, participants made reference to the rule of law, where "with more regulation and easy access to bodies that control and manage multiple discrimination reports", in addition to "regulatory mechanisms" and controls (by the police), multiple discrimination may be tackled by the State.

It can be inferred from the above, that participants' suggestions not only made reference to the role of the State and its bodies, but also brought up the citizens' role through the change of the value system of contemporary society.

Chapter 5

Vulnerable social groups and multiple discrimination in Greece: face-to-face interviews with six target groups in the Attica region

*Despina Grigoriadou**

5.1 Introduction

In order to understand and to tackle multiple discrimination against the 6 target groups under investigation in Greece, we need to pay attention to the way that victims of multiple discrimination understand and give meaning to their own experiences and to the way that they respond to multiple discrimination behaviours. Moreover, since multiple discrimination is a sensitive issue, it needs careful handling and methodological tools that produce better results (Denscombe, 2006: 165). For that reason, a qualitative research strategy using interviews has been carried out in combination with both the survey research (Chapter 4) and situation testing (Chapter 6). Emphasis of the qualitative research is given on why and how (Denscombe, 2006: 267-268; Bryman, 2008: 373-374) multiple discrimination occurs, offering a more comprehensive and detailed understanding of attitudes and perceptions that can contribute to better designed policy solutions.

Apart from the need for a deeper and bottom-up understanding of multiple discrimination, there is also need for more and recent data from the field by all six groups. The phenomenon of multiple discrimination in Greece is under-investigated. There is no extensive research on multiple discrimination, much more applying qualitative research. Moreover, no official data exist regarding multiple discrimination. A common approach for analysing multiple discrimination in Greece is to combine the discrimination data from the National Statistic Agency (ELSTAT) and the Eurobarometer (see for instance the report on the monitoring and assessment of immigrant women integration in Greece, ELIAMEP, 2012).

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A bibliography research for the Greek case concludes that there are only very few reports that investigate multiple discrimination. In the country report of Homophobia in Greece for the Institute of Rights, Equality and Diversity (I-RED), there is a short section about multiple discrimination (Pavlou, 2009: 27-28). The data are based on the activists' experience in supporting discrimination victims. Moreover, in the collective volume 'Racism and discrimination in Greece today' (2014), a short reference is made to multiple discrimination of all 6 groups, based on secondary references and on published articles in newspapers.

There are more data regarding multiple discrimination based on gender, mainly for women, and other elements of otherness, such as race or origin, disability and age. These studies examine multiple discrimination in the field of employment only. The National Centre for Social Research (EKKE) has realised a research regarding the access of young Roma in the economic sector based on quantitative and qualitative data (Tsiganou and Balourdos, 2015). From a legal perspective, Kofinis (2016) investigates the occurrence of multiple discrimination in the Muslim minority women in Greece, while Magoulios and Trichopoulou (2012), collecting survey data, investigate multiple discrimination of people with disabilities in relation to their access to the labour market.

Although there is an increasing interest on the issues of multiple discrimination, especially at EU level¹, the absence of systematic research is also evident in other EU countries. Many national and European statistics do not include data that simultaneously cover multiple areas of discrimination, such as gender and ethnic origin or disability, which makes it difficult to study and monitor the phenomenon (Chopin, Farkas and Germaine, 2014; Sheppard, 2011: 5-9). Therefore, the present

¹See mainly the reports of the European Union Agency for Fundamental Rights (FRA) (Inequalities and multiple discrimination in healthcare, 2012 and Multiple Discrimination, 2010), as well as the "Multiple Discrimination in EU Law. Opportunities for legal responses to intersectional gender discrimination" (2009) report of the European Commission's Directorate General for Employment, Social Affairs and Equal Opportunities.

qualitative research, in combination with the survey, seeks to fill this gap in Greek literature and to provide policy makers with ground-based and detailed evidence to improve their protection policies against multiple discrimination. It also seeks to acknowledge new grounds of discrimination, such as the low socio-economic status and poverty, mainly during times of economic crisis, and, thus, to contribute to the wider scientific and social policy discussions on multiple discrimination in Europe.

As already mentioned in Chapter 2 of this book, there are different concepts and terms to describe and explain the complexity of multiple discrimination. For the needs of the qualitative research, the term “multiple discrimination” is used in its broadest sense, in order to encompass cumulative, additive and intersectional discrimination. However, when the field provides us with relevant data, different types of multiple discrimination are identified and analysed.

5.2 Methodology of interviews

For the qualitative research, thirty-six interviews have been conducted, six interviews for each project’s six target groups. All interviewees had at least two distinctive features resulting from six categories: age, gender, religion, race, national origin, disability. Attica was the geographical area chosen for the facilitation of the field research, since a bigger percentage of these groups can be found in this region. The duration of the interviews was one hour in average and took place either through Skype or face-to-face. All interviews and data analysis were carried out by the author of this chapter during the period from 1-1-2017 to 30-08-2017. Thirty-two of the thirty-six interviews were recorded and all recorded interviews were transcribed.

As mentioned above, due to the lack of general data on multiple discrimination affecting the six groups, the interviews focused on an open-ended list of areas, where discrimination may take place in people’s lives. The research focused not only on their personal experiences of discrimination on a single ground, but also on multiple grounds. In addition, interviewees

themselves were required to refer to the way in which their peers were more likely to be multiple discriminated.

The interview questions aimed at highlighting and describing multiple discrimination in the six target groups, detecting cases of intersectional discrimination. Based on the perceptions and experiences of the interviewees, the research focused on identifying the main reasons and behaviours that lead to multiple discrimination, awareness of their rights, the way that the victims of multiple discrimination respond and the solutions they propose in order to tackle multiple discrimination. Emphasis was placed on linking multiple discrimination with poverty and unemployment, on the identification of new vulnerable groups, as well as on changes in the way multiple discrimination is manifested after the economic and social crisis in Greece. Finally, since multiple discrimination may have different manifestations (cumulative, additive, intersectional), the research followed a progressive path from discrimination on a single ground in different circumstances to additive and then to intersectional discrimination.

Due to the sensitivity of the issues of discrimination and the difficulties of access to the field, the selection of interviewees was based on the snowball method and on mediators who are working in the field of rights protection of the research target groups. One main research problem was to identify interviewees from the target groups, who at the same time had several features that could constitute the grounds of discriminatory behaviour. Due to the particularities of these groups, there was a great deal of difficulty in tracing the interviewees, in making them feel safe about the research and in allowing themselves to speak deliberately. This process was particularly hard with transsexuals, immigrants and Roma women. The starting point was contact with their respective organisations, such as immigrants' organisations, homeless home centres and intercultural schools. All the above organisations were used as mediators, in order to trace individuals confident enough to trust the process of the interview. After the first ten persons had been identified, they recommended other persons for an interview, and so the list was completed.

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A second problem was the place where the interview would take place. People with disabilities had great difficulty in getting out of their home, so many interviews were carried out through Skype. Also, due to their limited time and the desire of many interviewees to have an as informal interview as possible, some meetings were held at a neighbourhood quiet cafe. The advantage of these places was that the interviewees felt more relaxed with the whole process and that they could speak freely, to the point that most of them allowed the interview to be recorded.

A third serious difficulty was that in many cases the interviewees were not aware that they were victims of (multiple) discrimination. Their vulnerable economic and social status, their psychological exhaustion, their limited understanding of how the Greek system and language operate did not allow them to sense that they were being discriminated, seeing it as a normal everyday situation rather than discrimination. As a result, in some cases, towards the end of the interview, after explaining what multiple discrimination is, the interviewees began to describe cases where they had faced discrimination.

As interviews involved vulnerable population groups, attention was paid to the ethical issues of the research. The ethics of an interview, and in particular the issues of voluntary participation, consensus and confidentiality of anonymity, were strictly and foremost protected.

5.3 Key findings

This section includes the key findings of the qualitative research. It is structured in 5 main sub-sections: the Greek context in which discrimination and multiple discrimination occur, the groups that are vulnerable to multiple discrimination, the spheres of life where multiple discrimination is expressed, the effects on their individual life and their responses.

5.3.1 The context in which multiple discrimination occurs

Greece is a conservative religious society that resists to diversity. According to the Pew Research Centre (2016), Greece is first (63%) in the list of 10 EU countries which say that increasing diversity makes their countries worse places to live in,

while half of the population (54%) believes that religion is very important to the Greek identity.

During the last decade, Greece faces increased racist violence, especially after the rise of Golden Dawn and the large inflow of refugees, mainly from Syria. At the same time, the situation of the Roma people in Greece is characterised by social exclusion and deprivation, illegal immigrants are living in a state of poverty, and homosexuals, and particularly transsexuals, face severe discrimination (ECRI, 2015).

Despite the recent adoption of equal treatment and anti-discrimination laws (i.e., Law 3896/2010 on equal opportunities for men and women, Law 4356/2015 on civil partnership, Law 4443/2016 on discrimination, Law 4491/2017 on the legal recognition of gender identity, Law 4538/2018 on fostering and adoption), multiple discrimination is still very resistant. For example, the Special Eurobarometer of 2015, exploring discrimination perceptions in the EU countries, states that 70% of the respondents consider that discrimination relative to ethnic origin in Greece is widespread with the corresponding figure in EU-28 varying around 64%. Moreover, regarding discrimination relative to sexual orientation, 71% of the Greek respondents answer that this is very widespread, while in EU-28 the relevant percentage is 58%.

5.3.2 Who is vulnerable to multiple discrimination?

The interviews showed that all target groups were discriminated and treated unequally in relation to the majority of the population in Greek society. As it is reported in an interview by a young man with disability “since I became disabled, I have experienced all forms of discrimination and racism, whether it concerns my access to the urban environment, my personal relationships or work”.

However, the combination of specific features of people in these groups creates a grid that makes them more vulnerable to multiple discrimination. In many cases, their unequal treatment by the State and society leads these groups to poverty and unemployment, being the very first victims of the economic

deprivation resulting from the crisis. The groups that were identified in this field research are the following:

- **Older women**

Women aged over 35-40 years old are particularly discriminated in the workplace, and it appears that it is extremely difficult for them to find a job. The interviews revealed that the incidences of unequal treatment in the workplace resulted mainly from the economic crisis of the recent years, which caused limited job offers. If they finally manage to find a job, it is usually part-time, illegal, and with flexible and undefined working hours. A middle aged immigrant woman states: “When we were looking for a job, usually as housekeepers, they asked about our age. If we revealed the real one, 57 years old, they told us that we had to be at least between 30 and 50years old, in order to take the job”. Older immigrant women, over 60 years old, are in the most difficult position, since they have been working for years in unreported jobs with low wages leading them to absolute poverty and exclusion.

- **Women with disabilities**

Women with disabilities are extensively discriminated initially at work, but also in their personal and family environment. Their level of education is usually low, because their families do not support them to complete their studies, which in turn does not allow them to look for a job. Women with disabilities are “hidden” by the family, they directly depend on it, they are socially isolated in a sheltered environment and they fail to create a family of their own. A middle aged man with disabilities says about women with disabilities: “They have many more difficulties than men to face, and they are not accepted by society. I know many women who had been abandoned by their husbands when they were in a state of disability or who have never been able to find a job”. As reported in all the interviews with women with disabilities, the difficulty for them to make their own family and find a job makes them fully dependent on their parents’ family and on the insufficient State pension, and, as a result, they are more likely to experience poverty and exclusion in the future.

But even when a woman with disability finally finds a job, she is treated unequally. It becomes clear from the interviews that

employers do not consider these women capable of undertaking a job corresponding to their abilities, or they feel they have done a favour to them offering that job, which in turn makes them feel underestimated. Even in terms of provision of services, such as medical, social or banking, women often face aggressive or undignified behaviours. For example, as an old blind woman reports: “I went to a doctor once... He looked at me and instead of talking to me, he turned to my mother. Some doctors treat us very badly, like we don’t understand what they tell us”.

- **People of other nationalities with disabilities**

People of other nationalities with disabilities in Greece are discriminated against by their own national community, as well as by the wider society, especially in the field of work and in their relations with the State. Nationality combined with disability leads to double discrimination. A man with disability states about immigrants with disabilities that “Society is much more racist to them; they are much more targeted and stigmatised. In some cases, it has been reported that these two features operate intersectionally, while in other cases in succession. In any case, they face multiple discrimination and this is also manifested both in the public space and in public services. Characteristically, one interviewee refers to his friend, who is an Albanian with disability: “The social environment had difficulty accepting him, first because he is Albanian and second, because he has a disability”, and he continues saying that even public servants adopt this attitude: “He suffered both psychologically and physically when trying to obtain a permit for a store by the State; it was as if he had to climb a mountain without legs”. It was also reported by immigrant interviewees with disability that some national communities such as Syrian and Pakistani, they themselves marginalised people with disabilities, hiding them, because they have, like the Greeks, prejudices against people with disabilities.

- **Immigrant women, women from the Muslim minority and Roma women**

These women experience triple discrimination, as women against the men of their national community, as women against women of the wider population, and at the same time as people of another ethnicity towards the Greek population. Discrimination

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is encountered primarily at work (labour exploitation), but also in the public space and services, as well as in their private life.

During the interviews, immigrant women very often mentioned the following:

- Sexual harassment in the workplace, as well as in the public space. Immigrant women working as housekeepers are particularly vulnerable. The rationale behind this harassment is that the employer knows that this woman is foreign, unprotected, poor, in many cases with children, “so you need me, and you will do what I want” as an old black woman reported from her experience. As a young Albanian woman characteristically mentioned “they took advantage of my weakness. That is, you work here, you need me, I have you in my hands, you live as it is or leave, you will have a good time here only if you accept what I tell you”.
- Working illegally without social security, being paid less than the agreed wage, working overtime, under poor working conditions, having limited access to social services and high levels of unemployment. A Bulgarian woman complains about a job recruitment office: “It was like you were undressed in front of them, giving details of your life and realizing that you were alone, so they said now they can do what they want with me, they were trying to grab money... it was extreme exploitation”. The situation is even worse when it comes to immigrant women without a residence permit (irregular immigration).

Since immigrant women offer more often housekeeping services, their employers are mainly women. Therefore, multiple discrimination stems from Greek women, who consider themselves to be superior to immigrant women. Finally, immigrant women also face discrimination from male immigrants. As an Albanian woman states: “All these years immigrant women were in the shadow of their men... Women had the burden of the whole family, worked very hard, but they did not exist... They were neither officially registered, nor did they dare to get a divorce when the situation was difficult...”. Working has helped these women to be a little self-sufficient, but the

changes are quite limited, and immigrant women are still dependent on their husbands.

Roma women and Muslim women are even more vulnerable; they are at the margins of the formal social organisation and they are victims of prejudices both internally in their community and in the wider society. Socio-economic marginalisation traps them in a vicious cycle of poverty and exclusion from various social activities and the labour market. In particular, Muslim women, like Roma women, are at the lowest level of social stratification, almost excluded from society. They usually have a low economic and educational level, they do not know the Greek language well, and, in the interviews, they have identified themselves as Turkish, which creates a bigger challenge for their integration. Social discrimination is particularly strong because of both their ethnic identification and religion. The situation is similar for Roma women. In the interviews, too many incidents of discrimination were reported in schools, public services, courts, hospitals and with the Police. In all cases, no complaint was filed and the victims did not even react, because either they feared they would not find justice or they did not know they were discriminated. A Muslim woman reports in terms of the way social services behave towards them: “They think that we are weak and that we will not find justice, so they treat us badly and they don’t care about us”.

- **Second-generation young immigrants**

This group faces many incidences of discrimination in both the education system (school bullying) and the labour market, as well as in their interpersonal relationships. Although unemployment in Greece is particularly high among young people, it is clear from the interviews that unemployment in this group is even higher. The limited social networks, the language problems and the low educational level of immigrant parents “have been inherited” to their children. These young second-generation immigrants do not have the necessary skills and knowledge to find a high-profile job.

This is reflected in the labour market with employers offering young immigrants cheap and hard work. A second-generation black Greek describes his own experience: “Once I told a

customer my opinion about what he was buying, and the customer told me: ‘Who do you think you are to speak to me? We are not equals’. He said that because of my colour and my age, and my employer froze and said nothing. It was a very difficult situation for me”.

Moreover, second-generation immigrants also face discrimination in their interpersonal relationships, since mixed couples are still a taboo in the Greek society. Not only immigrants may not be accepted by their companion, when they find out about their nationality, but there may also be reactions from their partner's family. An anecdotal story is presented by an Albanian woman: “Two young Albanians, who did not know that the other one was also from Albania, met and fell in love..., and they were both thinking ‘How I will tell him/her now that I am Albanian? He/she may leave me””.

- **Homosexuals of another nationality**

If homophobia is particularly strong in the Greek society, it becomes even stronger when it comes to homosexuals of another nationality. Discrimination arises not only from the wider society, but at the same time from the national community to which the homosexual person belongs. In particular, members of ethnic minorities are likely to be discriminated against because of their different sexual orientation within their ethnic or national community, and on the grounds of race or ethnicity in the LGBT community, and, last but not least, because of both these characteristics in the wider society. A Greek gay person reports: “Albanian gay people face a huge problem of racism not only by the Greeks, but also by the Albanians. You cannot imagine. For Greeks, it is that he is Albanian, his main identity. For Albanians, however, it is far worse to be an Albanian gay person. The belittlement that an Albanian gay person may face from other Albanians is much greater than what he may face from the Greeks because of being Albanian”.

Discrimination mainly occurs first on the ground of nationality, especially in cases where it is visible, and then on the ground of sexual orientation, which may not be visible. A young black homosexual man mentions: “Discrimination did not occur at the same time on both grounds, as I look black (...) and so this

will be the first thing that others will see. That is, if I want to become friends with someone, colour is the first thing that will prevail at the beginning and some comments could be made from others on this... Sexual orientation becomes an issue when I have to tell that to my friends; I have lost friends because of that...”.

- **Transsexuals**

Different gender identity causes not only serious discrimination in the private and public life of the Greek society, but also violent behaviours and hate speech even leading to racist crimes. Interviews from transsexual people have revealed that they face serious discrimination incidents at work, medical care and social services. In the public space, they face sexual insults, hostile behaviours and intense looks, mainly due to the expression of their gender identity rather than their sexual orientation. Particularly health and work issues are at the cutting edge of the problem, followed by public space and the family/friendly environment. Transsexual interviewees very often referred to their anxiety to “pass” as men or women, so that they are not perceived by the social environment as being different. Transsexual people may experience harassment and discrimination from managers and co-workers, such as less favourable terms and conditions, fewer opportunities for promotion and training or dismissal. In many cases they live a double life. As a transsexual reports: “At work, I present myself as a man, while in my social and private life as a woman, and this way I avoid discrimination and humiliation at work. All this causes me a lot of anxiety; I have to hide every day, because I am afraid that I will lose my job”.

In conclusion, from all the above, we could support that gender in principle, followed by nationality and age, play a significant role in the extent to which a person will face multiple discrimination from his or her environment. The interviews revealed that different religion does not play a catalytic role as a single ground of discrimination, but it triggers and enhances multiple discrimination in conjunction with other grounds, such as nationality. Finally, different gender identity causes intense discrimination and distracting behaviours.

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It is made clear from the interviews that class issues are important to the level and the extent of multiple discrimination manifestations. The high socio-economic situation of an individual plays a significant role in limiting the incidences of discrimination and to a large extent to the effective response of its impacts. All interviews remark that the financial position of the target groups plays an important role for their social acceptance. If for people with disabilities financial well-being allows for better accessibility and a better level of health and through them social inclusion, for immigrants and LGBT persons it directly allows social acceptance in the work environment and the social environment. For example, a Pakistani immigrant entrepreneur argues that there are two major categories of Pakistani people: entrepreneurs, who are accepted by society, themselves and their children, and simple workers, who provoke the wrath of the Greeks and who, apart from discrimination, also face racist violence without ever reporting it. However, “at the end of the day, there is a dark point of separation between the Greeks and immigrants”.

The class features of discrimination are clearly shown in the following reference in which an immigrant woman criticises the practices of illegal work: “It is not just the Greeks who do this, but immigrants have also learned these tricks. If we think in a clever way, we will understand that the point is not whether you are Greek or Bulgarian –but whether you are the boss or the worker–, money makes the world go round”, while a gay man reports that “the LGBT community in Greece has racist features; it is a rather bourgeois community. A poor Pakistani gay man is not easily accepted... he has no place there”.

Moreover, poverty itself appeared to be a new ground of discrimination, which in many cases overcomes the other grounds and it becomes the main source of discrimination. In most interviews, it is pointed out that there is a strong connection between poverty, unemployment and discrimination. The poorer a person is, without material and social resources, the more he/she could be subject to discriminative behaviours, which are difficult to overcome and to respond to. An immigrant man states

about this issue: “When you are poor, regardless of nationality, society treats you the same as it would treat a poor Greek person”.

5.3.3 Where does multiple discrimination occur?

The range and the size of discrimination vary between groups, as well as between the areas where discrimination takes place. Immigrants, Roma people, ethnic minorities and transsexuals are discriminated in all areas (work/social environment, relation with the State, public space, personal/family relationships). People with disabilities and people with a different sexual orientation are more discriminated in specific areas, such as work and accessibility for the former, and public space and health care settings for the latter.

Regarding public services, discrimination occurs very often, even in sectors like justice and the Police. A gay man mentions: “The judge is a member of society and part of it, and, therefore, he is more biased towards Albanians, as for many years Albanians were associated in the public discourse with acts of delinquent behaviour. Therefore, there is a long distance between having good laws and implementing them”. Regarding the health sector, a gay doctor expressed his racist ideology: “Usually the poorest and those from the lowest social strata, those that have to do with religion are semi crazy, aren’t they? Like the Roma people, we treat them equally, but we fret when we do that, we are very cautious”.

It is reported in almost all the interviews that the behaviour of each civil servant depends on his/her personal attitude and willingness to support, or not, the target groups, rather than on the implementation of predetermined and specific behavioural rules towards vulnerable population groups. An immigrant woman reports that “The public sector is bureaucratic, but it is more bureaucratic for immigrants. Both for immigrants and for Greek people, the State is the employee, but it is easier for the employee to say to the immigrant ‘Leave... You do not have all the papers. Come back when you are ready’ without thinking that at that moment he/she can obstruct the course of my life”. Moreover, the issue of language is a serious obstacle to the provision of services to immigrants, since in many cases the

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public servant is not familiar with another language, so as to be able to serve the immigrant effectively.

Special attention must be given to the school environment regarding young immigrants and LGBT people. For instance, it is reported by LGBT people that, in schools calling someone gay is considered to be an insult and there is not an all-children-embracing setting. As a result, young people feel that they have to hide their sexuality, because they may be victims of bullying by staff or classmates. The same happens to young immigrants and young Muslims of the Greek Muslims minority. A woman from the Muslim minority mentioned that she had quit school because “the kids were shouting at me ‘Turkish, Turkish’, and they were laughing at me”, while her children had great difficulty getting integrated in school due to racist behaviours from their classmates.

Therefore, there is an imperative need for the familiarisation of public services with anti-discriminative service provisions, according to the more general legislative framework which guarantees the right of individuals to equal treatment and respect for diversity.

Regarding the work place, special attention must be paid to immigrant women and transsexuals. An immigrant woman reports: “After 25 years here, you may know everything, the language, history, but when the time comes to be integrated to the labour market, then discrimination starts...”.

Visibility plays a major role in the manifestation of discrimination. People with a non-visible disability, homosexuals who do not demonstrate their different sexual orientation, immigrants from Albania or other Balkan countries, who have similar features to the Greeks, are less discriminated in public places, work, personal and social life than a wheelchair user, a blind person holding a walking stick or a black person. A blind woman reports: “I’m without a walking stick. If I hold a walking stick, they will see me more, they will look at me in a bad way... they will ask questions”. Therefore, vulnerable people either try to hide certain characteristics (religion, sexual preference, nationality), or to pass as unnoticed as possible (semi-blind people do not hold sticks, immigrants do not turn to

public services), so as not to “provoke” racist incidences and become victims of discrimination.

For example, in the case of people with disabilities, more unequal behaviours are developed against severe disabilities, as well as the most visible disabilities, which can challenge to a great extent the dominant aesthetics of society. The same applies to the good use of the Greek language. An immigrant woman mentioned: “When you were in the house, you felt some joy..., but when you shut the door and you went out, there was an invisible wall that warned you ‘mind how you talk’ for people not to understand that you are from Albania, and from then on, all day long I was in distress”.

In the recent times of the financial crisis, discrimination has increased more, especially in the workplace and in the public sector. People seem to no longer be able to manage diversity because of the psychological exhaustion caused by the crisis. Especially in the workplace, the wider society feels competitive against the six groups under study, considers them to be inferior and, therefore, less worthy of having a job in a society with high unemployment rates, where the majority of the general population cannot find a job. There is also criticism from the general population regarding benefit policies for these groups, which raises even more discrimination and racist attitudes.

5.3.4 Causes and effects of multiple discrimination

The identification of the causes of multiple discrimination takes place primarily and mainly through the general causes of discrimination. All interviewees point out that there are prejudices and stereotypes regarding the six grounds by the general population. The more an individual differs from the perceived “norm”, the more vulnerable the individual could be to multiple discrimination. As a gay man mentions: “There is prejudice in the Greek society for anything different; nation, religion and family are the triptych of conservatism that prevails in society”.

Discrimination and its impact are evident in all target groups, but result from different attitudes and prejudices. For people with disabilities, discrimination mainly stems from a sense of pity and

superiority towards them, while for LGBT people, as well as for immigrants, there is hatred and aggression. The stereotypes and prejudices of society towards the six target-groups do not allow and often prohibit these individuals from maintaining their place in collective life, which results in psychological consequences, such as anxiety and anger, frustration of isolation and alienation. An immigrant with disability reports that: “The first time you come out, you are treated with racism, then you try for a second time, the same, and the third time is even worse... Finally, you decide to get isolated... to stay at home”. Moreover, exclusion from work can lead to poverty, since vulnerable groups remain unemployed in the long run, while at the same time they need additional health and social services. Their gradual dependence on social welfare services, as well as on their families and friends, is slowly leading to exclusion from collective social life and marginalisation.

5.3.5 Addressing and tackling multiple discrimination

Finally, target groups do not know their rights enough or nearly enough. For this reason, in some interviews, the interviewee was unaware that what he/she described was discrimination, much more when it comes to multiple discrimination. In the cases of being aware of unequal treatment, target groups do not report the incidents of discrimination, either because they believe they will not find justice, for example with the competent authorities (Courts), or because they are afraid that they will “get more involved”, for example, with the Police, spending at the same time money they do not have. Some of them believe that reporting the incidence will not relieve the psychological pressure they have faced as victims of discrimination. The statement “I will not find justice”, demonstrating the lack of a rule of law that protects the rights of vulnerable groups, is very often mentioned during the interviews.

In the LGBT community, non-reporting of discrimination incidents or even racist crimes is a common phenomenon. In many cases the victims are afraid to reveal their sexual orientation. In the cases of immigrants, they are afraid that the accusation may turn against them in the end, and that they may

lose their jobs or even their shelter. Finally, many immigrants have faced severe discrimination which in some cases has led to violence and they have not reacted. A black woman points out: “If they offend me verbally, I do not mind; only if they attack me physically, I will take action”. More generally, there is a high level of tolerance and limited resistance to discrimination.

This situation gets worse due to the organisation and operation of NGOs. While there is a plurality of advocacy organisations and relative supporting NGOs, competition between them and scattered resources prevent them from substantially supporting the victims of discrimination.

Regarding the victims of discrimination, a gay man mentions that they deny reporting incidents of discrimination: “Most of them keep the problem to themselves, and in the end this leads them to extreme situations ... suicides ... alienation. Anyone who gets hurt and knows he cannot find justice or thinks that he cannot be accepted, can very easily be led to loneliness and exclusion”.

5.4 Policy Recommendation and Suggestions

Based on the above findings of the field research, the following policy proposals for tackling multiple discrimination have been identified. Some of them concern discrimination on a single ground and some on multiple grounds.

- **Policies and mechanisms**
 - Creation of a guide for the public sector with services’ rules for target groups vulnerable to discrimination, in order to limit the uncontrolled individual behaviour of civil servants.
 - Establishment of a support mechanism to facilitate victims’ access to justice and reporting cases of (multiple) discrimination.
 - Implementation of a “two-way” strategy in public policies, i.e. horizontal integration of a distinction between all policies and practices and the development of targeted initiatives addressing the most vulnerable groups that face multiple discrimination. In the latter, it must be prioritizing the ground of poverty in the general context of anti-discrimination policies.

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- Support to non-governmental organisations dealing exclusively with the most vulnerable multi- discriminated groups. Support to the development of networks and cooperation between different NGOs, representing a single ground for better understanding and protection of the victims of multiple discrimination.
- **Changing attitudes and fighting stereotypes**
 - Education and training of civil servants throughout the hierarchy in order to familiarise themselves with “heterogeneity” and the needs of vulnerable groups, to understand the phenomenon of discrimination and, in particular, of multiple discrimination. Special training should be focused on the civil servants who come into daily contact with these target groups, so as to recognise what multiple discrimination is and how it is handled.
 - Giving emphasis to the important role of school in shaping perceptions of identity and how we see others and ourselves. In this context, educational programmes could be developed, which will familiarise pre-school and school age students with diversity. As it was mentioned by a woman with a disability: “Education is not a pill you take or a book you read; education is something that you experience in your everyday life. If you do not have collegial feelings towards your classmate who is black, gay, lesbian, trans, and if you do not emotionally support him/her and make him/her member of a team during the school break, no matter what he/she learns from the books, discrimination will exist”.
 - Campaigns to inform and raise awareness for the victims of multiple discrimination and for the vulnerable groups about their rights and the relevant legislation of their protection.
- **Research and data collection**
 - Creation of a database for rights’ awareness and reporting incidents of discrimination, as well as for regular data collection by bottom-up mechanisms that will allow detection and recording of (multiple) discrimination.

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Chapter 6

(Multiple) Discrimination in the Greek Labour Market: A pilot field experiment on recruitment

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6.1 Abstract

Multiple discrimination is an issue that has been discussed and researched in numerous countries, including Greece. “Situation Testing” has been extensively used as a methodological tool on measuring employers’ discriminatory behaviours broadly, both at a national and worldwide level. This pilot field experiment uses situation testing to research multiple discrimination, in order to contribute to the identification of such behaviours in real life situations of accessibility to the Greek labour market. Furthermore, this research constitutes an effort to explore and study situation testing’s contribution to the investigation of multiple discrimination, in order to inform and update the conceptual framework for its study across Europe. The test consisted of pairs of candidates presenting themselves by phone to prospective employers in response to openings randomly sampled from job ads. The characteristics of the pairs were matched except for three common discrimination factors: i) gender, ii) nationality, and iii) age. The results indicate that the minority group faces lower access to employment than the corresponding probability for the majority group, and, thus, it encounters employment discrimination and, in specific cases, employment multiple discrimination. The use of situation testing as a technique on identifying employers’ multiple discriminatory behaviours is being confirmed as a challenge that requires more research.

6.2 Introduction

Employment is a crucial element of an individual’s life and welfare, and high employment rates are a substantial feature of

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developed Welfare States. Discrimination in employment is both an identified problem and consequently a thematic that has been extensively studied both in Greece and worldwide. It refers to differential treatment towards a potential or current employee due to a specific characteristic that he/she has or is perceived to have. The most common grounds of discrimination as identified in the relevant literature are: gender, national/ ethnic origin, age, disability, religious beliefs, sexual orientation.

Multiple discrimination refers to the discrimination against persons based on any combination of the aforementioned grounds. Multiple discrimination is a more recently identified and defined problem, and, thus far, limited relevant research has taken place.

The main target of the present pilot situation testing¹ research is to contribute to the identification of multiple discriminatory behaviours, by taking into account three factors of discrimination: i) gender, ii) nationality, and iii) age, in order to study their nature and extent in the field of discrimination in the labour market at one of its most crucial points: access to

¹The project “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions” has been funded under the fourth priority of the Call “JUST/2015/RDIS/AG/DISC – Action grants to support national or transnational projects on Non-Discrimination and Roma integration” of the “Rights, Equality and Citizenship Programme (2014-2020)” of the European Commission, Directorate General for Justice and Consumers, European Union. The project’s goal is to contribute to the research of the phenomenon of multiple discrimination in Greece by defining, exploring, and providing relevant data and policy recommendations. More specifically, it aims to investigate the multiple discrimination that all vulnerable groups at risk of discrimination, as they are described by this Call, face by using a multi-method approach. Thus, mixed and innovative research methods have been used in order to integrate target groups’ views and perceptions using a bottom-up approach, and to provide a comprehensive and clear picture of the situation concerning multiple discrimination in Greece. This extensive quantitative and qualitative research design has been complemented by the use of the methodological tool of “situation testing”.

employment. Furthermore, this research constitutes an effort to explore the methodological tool itself and study its potential to contribute to the investigation of multiple discriminatory behaviours.

6.3 Research on (multiple) discrimination

6.3.1 Discrimination in the European Union (EU)

The annual publication of the “Fundamental Rights Report” of the EU for 2018 dedicates its 3rd chapter on “Equality and non-discrimination” (p.p. 51-72). In this chapter two important points are highlighted: the first refers to the existence of discrimination and inequality and the latter to the importance of systematic collection of robust data as a crucial point in order to “foster equality, increase social inclusion and combat discrimination” (Fundamental Rights Report, 2018: 60) by providing the state of the art in order to enable new measures in the EU Member States.

6.3.2 Discrimination in employment

Employment discrimination is a problem addressed and a field broadly researched for several decades already. The joint report on “Multiple Discrimination in EU Law” (2009: 13) referred to employment-related situations that included cases of:

- a) sexual and racist harassment (Austria, the Netherlands),
- b) refusal to employ or promote or even dismiss a woman perceived as belonging to an ethnic minority (France, Germany, Slovakia, Sweden, UK), or
- c) detrimental working conditions for groups of immigrant women employed as cleaners or domestic workers (Greece, Spain).

6.3.3 Multiple discrimination

Multiple discrimination can be defined as the differential treatment against persons on the basis of any combination of the discrimination grounds such as gender, racial or ethnic origin, religion or belief, disability, age, sexual orientation, gender identity or other characteristics, and the discrimination suffered

by those who have, or who are perceived to have, those characteristics.

Ms. Sophia Koukoulis-Spiliotopoulos, the Greek member of the European Network of Legal Experts in the Field of Gender Equality, pointed out in the aforementioned report on Multiple Discrimination in EU Law (2009: 65) that “there does not seem to be any specific literature or research available regarding multiple discrimination in Greece”, and “... research regarding multiple discrimination is necessary at both EU and national level”. Several years have passed since that report and multiple discrimination has been further researched. But the picture concerning it remains unclear and not coherent, with both fragmentary research results and evidence for underreported cases.

6.3.4 Situation testing as a research technique on discrimination

Situation Testing has been extensively used as a technique for mostly measuring employers’ discriminatory behaviours in the United States, but also in various countries, European countries included, since already the 1970s. Especially since Frank Bovenkerk (1992) and the International Labour Organisation (ILO) developed a solid methodology using this tool in order to research the discrimination faced by candidate employees during the recruitment stage, numerous studies have been conducted and reports have been issued accordingly in countries such as Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Sweden, Switzerland, and the UK.

In the “Fundamental Rights Report 2018” of the EU, “Discrimination testing” is presented as “a reliable and robust method for generating empirical evidence of discrimination that usefully complements information on perceptions of discrimination collected through surveys”, and which “is being used more regularly by EU Member States” (Fundamental Rights Report, 2018: 63).

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On the contrary, limited Greek bibliography and research with the use of situation testing have been identified. Professor Drydakis has conducted and published the results of four (4) studies, using the situation testing technique as his methodological tool. Thus, in his studies on “Sexual orientation discrimination in the labour market” (2009), “Ethnic Differences in Housing Opportunities” (2010), “Ethnic Discrimination in the Greek Labour Market: Occupational Access, Insurance Coverage, and Wage Offers” (2010) and “Women's Sexual Orientation and Labour Market Outcomes in Greece” (2011), he conducts such field experiments in order to identify discrimination in employment based on sexual orientation (gay men candidates), in employment based on ethnic origin, in housing based on ethnic origin (Albanian potential tenants), and again in employment based on sexual orientation (lesbian women candidates) correspondingly. A lot of important results have come to light from each study, but what can be considered as the most important one is that in all four studies dealing with both sexual orientation and access to employment and ethnic origin and access to employment and housing, discriminatory behaviours against the minority group have been identified and recorded.

6.4 The legal framework

6.4.1 (Multiple) discrimination in the Greek labour market

The European “umbrella” of measures and the Greek legal framework on multiple discrimination, also in the field of the labour market, has been extensively discussed in previous chapters. As it has been introduced, there is a significant and long-lasting case law by the European Court for Human Rights against Greece that includes numerous relevant adverse judgments. Although various legislation changes have taken place during the past few years in order to cover the relevant gaps and establish a clearer and more coherent legal framework in line with the European Directives (introduction of Greek Laws 4358/2016 and 4443/2016), it is obvious that Greece has a long

way to go before establishing equality in general in society, but also specifically in the workplace, which is a crucial field of an individual's societal integration and wellbeing.

6.4.2 Situation testing as a policy tool

Situation testing has been extensively used in large scale formal State studies and established as a policy tool in countries such as Finland (Finish Ministry of Employment and the Economy: 2012). Furthermore, “findings of discrimination testing are accepted in court in a number of EU Member States, including Belgium, the Czech Republic, Finland, France, Hungary, the Netherlands and Sweden”. (Fundamental Rights Report, 2018: 63)

As Theodoridis (2017) has pointed out, “the Greek national law does not explicitly disallow the use of situational testing, but at the same time makes no provision for it. According to the Greek Code of Civil Procedure (Article 342), there are only seven ‘types of evidence’ and situation testing is not included among them... However, Article 347 of the Code allows ‘other types of evidence’ and thus leaves an open window by considering a matter of jurisprudence to interpret whether or not ‘situation testing’ refers to the issue of ‘probability of discrimination’, as defined in Article 14 of the Anti-discrimination Law 3304/2005 (‘Burden of proof’”).

In Greece situation testing has not been used as a policy tool in practice. Furthermore, no relevant jurisprudence exists and in any case the Constitution prohibits the use of evidence which has been acquired in violation of the rights of privacy of correspondence (Article 19), of domicile (Article 9) and of the protection of personal data (Article 9A).

6.5 Pilot implementation of Situation Testing in multiple discrimination

Despite the adoption of relevant legislation, (multiple) discriminatory behaviours have been identified in Greece. Previous research conducted by the Greek National Centre for Social Research (EKKE) (2015) highlighted the existence of

multiple discrimination against women, young Roma, and Muslim immigrants in the field of employment. But, the identified research has taken place before the introduction of the new Law 4443/2016, and, thus, there is not comprehensive knowledge on the current state of the art regarding multiple discrimination.

Situation testing has not been applied to the research of multiple discrimination so far. There is no relevant literature identified neither in Greek nor in international literature. The present study is the first research (pilot) on multiple discrimination during accessing employment (recruitment stage) that makes use of the methodological tool of situation testing. Multiple discrimination is a more complex concept since it refers to the differential treatment faced on the basis of two and more grounds of discrimination combined. Based on that, the challenges that our research design faces can be described as also multiple.

6.6 Design of the experiment

6.6.1 Main elements of situation testing

In general, situation testing experiments are formed in three research stages: the testers make phone inquiries on the basis of the advertisement; the testers send the written applications (CV, Motivation) and they pass through an interview. The test is completed at any stage that the potential employer expresses preference for one of the two candidates.

The three aforementioned stages of the situation testing design do not always take place. As Riach and Rich (2002: 481) suggest, experiments can use only phone inquiries or visits, and these are called situation tests or audit tests (U.S.), and others can make use only of written applications and these are called correspondence tests.

The situation testing approach has been named after its simulation of the communication between job applicants and employers. It involves matched pairs of testers who are carefully making an inquiry in response to advertised vacancies, in order

to test for discrimination in labour hiring at the very first stage of selection for interview. Thus, situation testing has been confirmed as a form of social experiment in a real life situation that has the potential to provide statistical data on discriminatory treatments.

In the framework of the project “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions” the whole situation testing study ran during the period of June – October 2017, and it referred to a pilot study where thirty (30) tests were conducted. Following the identification and thorough study of the relevant literature, all preparatory procedures took place in order to perform the tests as successfully as possible. Strategically, the month of September has been chosen for the realisation of the actual test. This decision was made in order to avoid the obstacle of the absence of a number of employers during the summer.

6.6.2 Research Hypotheses

Based on the approved proposal, there were two hypotheses under study, namely:

- a. Multiple discrimination can be identified in the Greek labour market already at the stage of accessing employment.
- b. The use of the methodological tool of situation testing can be extended to the study of multiple discrimination.

6.6.3 Methodology

In order to test the aforementioned hypotheses, thirty pairs of imaginary potential employees were created. The potential employees were equal in terms of human resources and presented themselves as being interested for the same job openings. Given this small sample and the challenge of studying multiple discrimination for the first time, it was a strategic decision to keep both the majority and the minority group characteristics the same in all 30 cases. Thus, the pair of testers in each test included a Greek national, young man (majority group) and an immigrant old woman (minority group).

The pairs' presented competences were matched as closely as possible, so that they were identical in all employment-relevant characteristics, except for their gender, national background and age. Each applicant presented himself/herself to convey the same level and type of skills, educational attainments and employment experience that might make a candidate attractive for each job. The testers were trained for their roles and were coached to present similar tone, articulation and responses, in order to eliminate all possible variables influencing employer consideration other than their voice, names and age statement, marking gender, national and age grounds correspondingly.

More specifically, in case the testers were asked by the employer regarding their level of schooling and job experience, they were trained to present the same level. Analytically, both applicants were presented as having an adjusted education level depending on the job ad requirements, in most of the cases secondary education, and had 8 years of work experience relevant to the vacancy they were applying for. Finally, their testing activity was constantly guided and monitored.

6.6.4 Process of inquiry

The experiment consisted of a phone call (thus, situation and not correspondence testing) inquiry made by the trained testers to prospective employers randomly sampled from existing recruitment openings advertised in dedicated job ads. Taking into consideration the large increase of Internet usage during the past years for employers and employees, the job ads were spotted using the largest Greek online job site – “Chrysi Efkairia” («Χρυσή Ευκαιρία») (<http://www.xe.gr/jobs/>). All relevant contact information had been recorded in a table, in order to serve exclusively the purposes of the current study, but, of course, anonymity of information will be rigorously maintained.

At this point, it is important to note that during this preparatory phase lots of potential job ads were found. A big number of these were rejected on the basis of the risk of biased results. This bias had to do with the fact that multiple discrimination had already been identified in the description of

these potential jobs. Thus, numerous advertisements were forming very specific employee profiles and all three variables under study (gender, national origin, and age) and their combinations were identified.

Moving on to the main part of this study, the phone calls were made from two different mobile telephone numbers, allocated to each tester correspondingly, in order to enable the prospective employer to reach each corresponding candidate again if he/she wished to. All phone calls took place on the same day, on 19 September 2017, with a 3-hour distance between the minority and the majority tester for each call. This way no difference to the status of a job (still available or not) could have taken place. Furthermore, in order to control the possibility that the time of an inquiry could influence an employer's response, the phone inquiries were made at different times to each vacancy, and in half of the cases (15) the minority inquiry took place first, while in the other 15 it followed. Each tester tried to make sure that he/she was contacting the employer and not a random staff member by specifically asking the relevant question, and finally, any significant difference in the time of each tester's communication with the prospective employer was also recorded.

All 30 inquiries were made to vacancies where there was demand for employment in the area of Athens, where substantial immigrant population has been living, working and interacting with the locals already for decades. Furthermore, all vacancies selected were for full-time employment (8h per day, 5 days a week), and concentrated more on low-skilled jobs as studies have indicated that this group is expected to be at more risk for discrimination.

In the current study, we investigated different occupations for which a variation in discriminatory behaviour across vacancies might exist. The occupations, on which we focused, covered a large spectrum of work settings: office jobs, industry jobs, café and restaurant services, shop sales, agriculture, cleaning, and delivery. And thus, particularly in most of the three latter cases, telephone contact was the only available means of

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communication with the potential employer, a fact that constitutes the significance of the result of this first phone inquiry that comprises our test.

For the majority of job applicants/testers a distinctive Greek male name and surname, and for the minority of job applicants/testers a distinctive Albanian female name and surname were allocated. The applicants were a 28-year old, unmarried, and without military obligations Greek male, and a 58-year old, unmarried, Albanian female legal immigrant. The language skills of both were identical, with no accent for the Albanian woman, in order to avoid any language skills implication to the test.

Furthermore, in order to confirm that the testers sounded alike regarding all characteristics, such as accent, articulation, and manner of speaking, except for their gender and age, and that they responded similarly to employers' clarifications or questions, we conducted a small number of pre-tests: we recorded each tester's pilot rehearsal and five different individuals were asked to assess the tester in terms of the relevant issues. The actual pilot field experiment was conducted following unanimity in all pre-testers' opinions.

Finally, in order to carry out this first pilot research on multiple discrimination, which is a more complex concept since it combines grounds of discrimination, a specific, standardised script/text was followed by both testers: At the beginning, each tester stated his strong interest for the job and asked if he/she was speaking to the employer himself/herself (gender identification). Then, he/she introduced himself/herself by stating his/her name (national origin identification), and finally, if the discussion was not previously disrupted, he/she mentioned his/her respective age in a discrete way.

6.6.5 Categories of analysis

Situation testing results fall under four (4) categories of majority/minority applicant treatment:

- a. No opportunity to proceed with their application is offered to either tester
- b. Only the minority candidate accepts an offer
- c. Only the majority candidate accepts an offer
- d. The same opportunity is offered to both. It may not necessarily be on equal terms and/or the employer's way of response can indicate possible discrimination. Such differences in treatment were also recorded, and specifically for the latter by using a 5-Likert scale measurement on the employers way of response. In this way, differential treatment between these different candidates was identified and statistically measured when it occurred, and their perceptions on the employer's response manner were noted in order to complement, if possible, the phone inquiry results.

Furthermore, in this study we took into consideration that the likelihood of employer (multiple) discriminatory behaviour based on the grounds of gender, national origin and age might also be combined with his/her respective characteristics. It is of interest to ascertain whether employers sharing the same characteristic –ground for discrimination– as a potential employee do discriminate against them in similar ways. Thus, to our best knowledge, no comparable studies that examine this issue exist, so in an attempt to assess the role of these characteristics, information concerning the employers' gender, national origin and age was also recorded when possible to obtain.

Finally, descriptive statistics were used in order to analyse the collected data.

6.6.6 Research limitations

The methodology of situation testing requires a minimum of 175 cases in order to reach statistically valid conclusions with respect to the occurrence of discrimination. In this research, due to its pilot implementation on multiple discrimination, it was

restricted in the field of multiple discrimination at the phase of assessing the labour market, and it took into account only three factors of discrimination (as aforementioned: gender, nationality, and age). Also, the small sample of 30 cases makes this a pilot test with lower validity and generalisability rates.

The present study focused on the initial stage of employment, the first step to recruitment, and did not examine potential discrimination that could arise later on, neither until the end of the recruitment process nor during employment itself (wage difference, etc.). As it has been argued by Bertrand and Mullainathan (2004) that situation testing can be effective only in demonstrating discrimination at the initial stage of a selection process, as well as in measuring the results of the selection process. But, it is of course impossible to test a firm's truthfulness up until the point that a candidate is actually hired. However, research- and policy-wise, it would have been rather important to know whether a candidate did eventually get a job and under what conditions (differential treatment at a later phase or not).

Finally, the use of informal searches and networks in order to obtain a job is very common in real life situations. This omission could qualitatively affect our results, given the case that the minority candidate could have actually used social networks more or if the employers had relied more on networks and subsequently differentiate less based on any characteristic (Bertrand and Mullainathan, 2004).

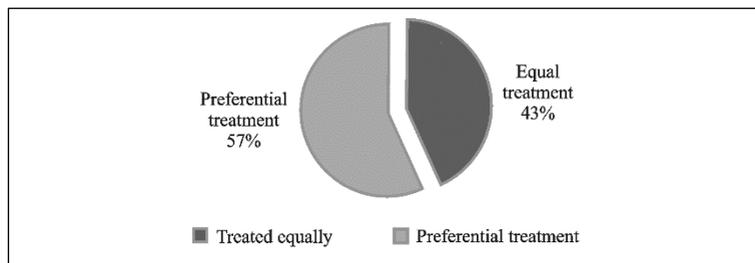
6.7 Results

6.7.1 Discrimination in accessing employment

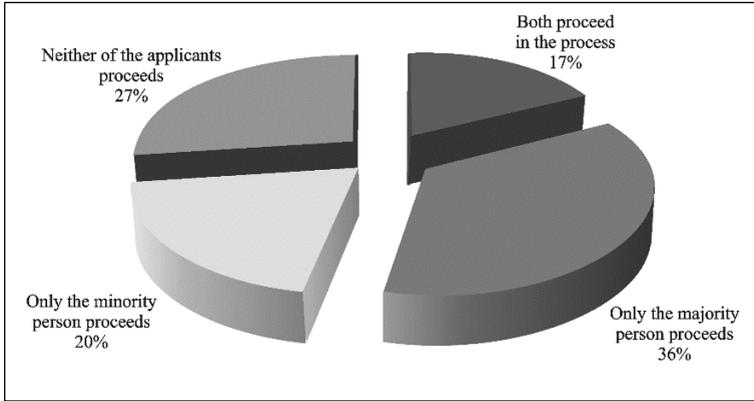
In this study, we conducted a pilot research with a small sample of only 30 pairs' inquiries. This fact led to statistically insignificant results and to quite low validity and generalisability rates for our research. However, possible behavioural trends were identified in various aspects of the pairs'/employers' communication, and the double target of our research, to study multiple discrimination and the use of situation testing as a methodological tool on multiple discrimination, was achieved.

First of all, the situation testing results indicate the existence of discrimination in the Greek labour market. A cumulative (against the minority, against the majority, and against both) total of 57%, which represents more than half the sample, experienced differential treatment by the prospective employer. Moreover, as we will see below, most of the equal treatment percentage (43% – 13 responses) refers to cases of “equality to discrimination”, since both testers have thus received the same negative reply, but these responses have actually been discriminatory behaviours on the basis of different majority and minority candidate’s characteristics.

Figure 6.1: Treatment (cumulative percentages (%))



The results as per response category (Figure 6.2) indicate that eleven (11) employers seemed to be positively affiliated to the majority candidate and six (6) to the minority candidate. Furthermore, five employers seemed to be positive towards both (5) and the last eight (8) have been negatively disagreeable to both. On the latter case, clear indications on the employers’ responses were noted, that they equally discriminated both candidates based on one or on a combination of different discrimination characteristics, and this was the reason for that double denial to the continuation of the recruitment process.

Figure 6.2: Test results per response category (%)

Another rather important finding can be obtained by the analysis of the six (6) cases in which the minority candidate was positively affiliated. We can observe that in four (4) out of the six (6) cases the gender factor prevails over the other possible discriminatory characteristics and it constitutes a ground of discrimination against the majority candidate and a subsequent factor of preferential treatment for the minority candidate. Furthermore, in another case (N/N 19) the position may have been a scam, since not enough info has been provided neither in the ad nor during the contact with the employer.

Finally, the relevant statistical results may have been insignificant due to the small sample, but specific types of employment seem to indicate a correlation with one of the two applicants based on one or more of his/her characteristics, mainly gender. Thus, in jobs that included more masculinity, such as physical trainer, farmer, making deliveries, the majority male candidate seems to have had better response results. On the other hand, in jobs that are commonly being perceived by the Greek society as more “feminine”, such as seamstress, hairdresser, and cleaning services, the female candidate seems to have had more positive response rates.

6.7.2 Multiple discrimination in accessing employment

The identification of multiple discrimination in the stage of recruitment through a phone inquiry has been the first main target and hypothesis of this study. And, thus, this hypothesis has been confirmed.

More specifically, in seven (7) out of the eight (8) cases that “Neither of the applicants proceeds” and in four (4) more that the “Majority applicant proceeds”, multiple discriminatory behaviours have been identified. These findings derive from the words that the prospective employers used in order to profile the suitable candidate for them during the phone inquiry.

The specific words used included two or, in some cases, more grounds of discrimination. For example, in case N/N 6 in which the result was that “Neither of the applicants’ proceeds”, the prospective employer referred to an “Ellinida kopela” («Ελληνίδα κοπέλα»). The first word “Ellinida” («Ελληνίδα») refers to a Greek female person, and the word “kopela” («κοπέλα») to a young woman. The entire phrase “Ellinida kopela” («Ελληνίδα κοπέλα») accumulates the combination of three factors of discrimination, gender, national origin and age.

As all of the aforementioned clearly indicate, in eleven (11) out of the thirty (30) sampled cases multiple discrimination has been clearly identified.

6.7.3 Final remarks

Regarding the employer’s way of response, for the testers to classify if he/she has been polite while interacting with them, a typical 5–Likert scale (1 – Strongly disagree, 2 – Disagree, 3 – Neither agree nor disagree, 4 – Agree, 5 – Strongly agree) was used. In general, most of the prospective employers seem to have responded in a polite way and no significant difference between the pairs was identified. However, a possible correlation between the response and the manners rate can be observed: when the decision was positive, better manners were also recorded from the corresponding tester, and when the decision was negative, a drop in this manners’ scale was noted.

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However, due to the small data set, we cannot conclude on any correlation regarding these variables. Furthermore, the rate of politeness can be perceived differently by each tester and/or affected by his/her bearing in mind the employer's response. So, the specific recording cannot conclude with certainty any result connected to the employers' discriminatory behaviour.

Furthermore, no significant difference has also been identified in the recorded duration of the phone calls. Most phone calls lasted up to 1–1,5 minute, with only one exception (case N/N 1), where the majority tester talked with the employer for more than 2 minutes, since various questions regarding his past experience and motivation came up. In the same case, the minority tester's interaction was halved and the final result was that the majority tester was indeed the one to be invited to the next stage of the recruitment procedure (in this case the interview). But again, due to the small sample under study, no generalisations on patterns of behaviour can be made with certainty.

Finally, regarding the employer's possible common characteristics with one of the testers (for example, both men/both women/both of immigrant origin/both of the same age) and how these can influence his/her decision, all data referring to the employer's gender have been recorded. Most of the prospective employers were male at a percentage of 70% (21 out of 30). Also, judging by the voice and the 30 employers' names (name, surname), it can be assumed that all of them were Greek, so the nationality variable of the Albanian woman was not shared with any of them. Finally, from the employers' voice, the testers indicated that all of them were possibly close to or middle-aged. But again, this is just a possibility that could not have been confirmed since age constitutes a sensitive matter that a prospective employer probably will not share with someone who just has a short phone job inquiry of not over a minute with him/her. At last, in any case no correlation between the employer's possible common characteristics and his/her decision can be confirmed with certainty.

6.8 Conclusions: Towards a new design for the research on multiple discrimination

Over the last years, a noticeable increase in social science research focusing on multiple discrimination has been noted. Despite the long experience of other countries and the significant results of such studies, multiple discrimination in employment based on any combination of the three factors (gender, ethnic background, and age) has been totally neglected in the Greek literature.

Also, while the methodological tool of situation testing has been used in various research designs, mostly in other countries and in just a few cases in Greece, to the best of our knowledge its use in multiple discrimination has not been tested yet. Thus, it seems that this is the first study not only in Greece, but more widely, that uses a telephone experiment to examine whether multiple discrimination, in any combination of the grounds of gender, national origin and age, exists during the initial stage of accessing the labour market.

As the literature suggests, the methodology of situation testing requires a minimum of 175 cases in order to reach statistically valid conclusions with respect to the occurrence of discrimination. In this research, in line with the approved proposal under the European Union funded project “Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions”, 30 tests have been conducted and the 30 corresponding cases have been analysed. Also, this study has been restricted to the field of discrimination in the labour market (access to employment) and it has taken into account only three factors of discrimination and their possible combinations: i) gender, ii) nationality, and iii) age. All of the aforementioned clearly indicate that in this study situation testing has been used as a methodological tool in a pilot research. Thus, as a result of using a random, small sample of only thirty (30) tests–communications with employers, both the validity and generalisability of this research results are highly decreased.

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In addition, the present field experiment is effective in demonstrating discrimination at the initial stage of the employment process: access to the labour market. However, discrimination may be higher or lower under other circumstances and at different stages of the long employment process (recruitment, wage offer, treatment, firing, etc.).

Furthermore, as Professor Drydakis has pointed out, in his paper published on the *Urban studies Journal* (2010: 2588), “field experiments assume a particular search method and thus cannot provide evidence on how minority seekers adjust their searches due to discrimination”. Thus, in this study, prospective employers spotted in online job ads have been contacted, assuming that this particular search method is the more often used nowadays, neglecting the use of informal ways to employment, such as networks, which very often play a very important role in the Greek context. In addition, (Drydakis, 2010: 2588) “Furthermore, field experiments do not give us insight into the mechanisms underlying discrimination”. This is a crucial point, since the capability to study such mechanisms could provide a real diagnosis of the problems’ roots and help eliminate (multiple) discriminatory behaviours in both employment and other common fields of discrimination (housing, access to services, etc).

The results of this study confirm that although Greek legislation, as well as the relevant EU measures, have made quite a few steps forward by introducing a clearer and more coherent framework of protection, discrimination and multiple discriminatory behaviours, possibly based on serious misconceptions that have prevailed for a long time, have formed severe discriminatory barriers to minority individuals in the Greek Labour market that are still far from being surpassed.

Specifically, the results clearly indicate that minority candidates face lower access to employment than the corresponding probability for majority candidates, and, thus, encounter employment discrimination and, in specific cases, employment multiple discrimination. Analytically, while job availability has been identified as being lower for the minority

than the majority group (indication of discrimination), multiple discrimination has been identified only in cases that the prospective employer made a direct reference to the combination of characteristics that led him/her to differential treatment. More specifically, the identified cases of multiple discrimination have been spotted due to a direct reference of a number of employers to specific characteristics that were forming multiple discrimination cases. The main means of identification have been the Greek language and the word genres used. Thus, words that have been used by prospective employers during the conversations with the testers, such as “Ellinas” («Ελληνας») and “Ellinida” («Ελληνίδα»), refer to both a man of Greek nationality and a woman of Greek nationality correspondingly. By identifying the use of such words, we were enabled to spot a number of multiple discrimination cases mostly referring to the grounds of gender and national origin as aforementioned. Thus, multiple discrimination in this first stage of the recruitment process has been identified and subsequently the first research hypothesis has been confirmed.

Finally, the use of the methodological tool of situation testing has once again been confirmed to provide substantial data on real life situations of discrimination during the first stage of accessing employment. But its contribution to the study of multiple discrimination has been a challenge. It has been quite difficult to create a research design that included a procedure that unfolded one-by-one three different characteristics to the prospective employer, and at the same time tried to realise if his/her response was connected to more than one of these. In the light of the aforementioned, the use of the methodological tool of situation testing could possibly be extended to the study of multiple discrimination, but extensive research needs to be carried out in order to establish an adequate research design in order to inform the conceptual framework of such studies.

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Chapter 7

Multiple Discrimination and Inequalities: An Empirical Investigation

*George Papadoudis**

7.1 Introduction

During the last 30 years scientific literature about discrimination is widely spread over many topics and disciplines such as sociology, economics, cultural studies, statistics, health care access, human rights, education, the labour market and the welfare state. At the same time the research focus, which is very often interdisciplinary, has been increasingly targeted. This is happening mainly because no matter the background or the cause of discrimination (prejudice, statistical thinking, unintentionality) there are social groups with common characteristics which are subject to discrimination on a traditional basis (Romei & Ruggieri, 2013). These similarities may vary broadly (age, gender) or may be defined narrowly (ethnic origin, religious beliefs, sexual orientation). The extent of the definition is usually the marker under law for one group or another to be listed as a protected group or a group that needs protection because it is vulnerable against discrimination. It is not surprising that many vulnerable social groups which face discrimination on one ground or another are also the research focus in inequality studies and of course not by the position of defined control groups. Especially in the form of multiple discrimination it can be argued that inequality plays a special role concerning the reproduction of vulnerability. There are lessons to be learned by the study of structural inequalities as they highlight the need for public policy addressing deprivation and exclusion in the economic, social, and cultural spheres simultaneously and over a long period (Dani & de Haan, 2008). For now, we attempt to measure discrimination as we measure inequality, because it matters. It matters, because not only are

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they unacceptable in their current level, but because things can be worse if society's tolerance against them increases over time (United Nations, 2001). Multiple inequalities can undermine many schemes of social policy, while multiple discrimination can undermine the foundations of social policy.

This paper attempts to contribute new empirical evidence calling for more fact-based investigation and more targeted policy intervention. Our analyses are based on the inequality theory, as well as on new and reliable data provided by the National Centre for Social Research in Greece (EKKE), which conducted a field study specialised in experiences and perspectives of multiple discrimination. Under the title "Tackling multiple discrimination in Greece: Delivering equality by active exploration and enabling policy interventions", a funded European research program, new data on discrimination have been made available in order to raise awareness and promote institutional innovations against discrimination on the grounds of gender, age, national or ethnic origin, religious beliefs, disability and sexual orientation. The European Union Treaty of Amsterdam in 1997 and its consequent Directives have implemented the same grounds for legal action, while EU member states carry out the ongoing task to disseminate information about specific state anti-discrimination laws and regulations (Walby, Armstrong and Strid, 2012; Sarris, 2014). This paper uses this dataset in order to explore similarities and differences among individuals who are part of vulnerable social groups while comparing them also with individuals out of this particular sample. Within the inequality framework we examine different aspects of discrimination, in its self-perceived forms; single or multiple.

Personal information, demographic characteristics and socioeconomic statuses are analysed exploring the extent of (multiple) discrimination in Greece. Data are open to interpretation, but certain trends are easily accessible. Being or being considered to be part of a vulnerable social group does not necessarily mean an experience of discrimination; especially as concerns its multiple or intersectional form. Individuals among various vulnerable

social groups may have common needs, but they do not have the same kind of resources available one by one. Several critiques have already been addressed against approaches on multiple discrimination that are based on the assumption of equivalence among social groups (Verloo, 2006). Different individual characteristics and different socioeconomic backgrounds draw a picture far from uniformity. In fact, all these different patterns may deliver quite different outcomes even in the same social settings.

7.2 Sample description and data definitions

The questionnaire for this particular fieldwork was designed by EKKE's researchers in order to investigate experiences and perspectives of multiple discrimination in Greece. The sample for this exercise has two parts: one derived from participants who belong into certain Vulnerable Social Groups (VSG) and another one is used as a Control Group (CG). Participants from both subsamples filled in the same questionnaire during 2017-18 in Athens, Greece. After data cleaning procedures have been concluded, the total sample size is 615 individual respondents (VSG: 510 & CG: 105). Demographic, as well as socioeconomic characteristics, vary significantly between these two subsamples. It should be noted that this sample is not based on random selection, but it is in parallel to established procedures followed in previous surveys in the same context conducted by EKKE (Balourdos 2012; Balourdos, 2015; Tsiganou, 2015).

There are several modules in the questionnaire which we attempt to explore for the purpose of this paper. Particularly those targeted on discrimination/multiple discrimination experiences, on views or perspectives of discrimination in Greece, and, of course, those with demographic and socioeconomic characteristics. The variables we utilise in this exercise derive from the following lists:

- Gender (male, female, transgender)
- Age (16 plus)
- Marital status (single, married, separated, divorced, widowed, in civil partnership)

- Family composition (adults and children in the household)
- Number of children
- Nationality (without answer-categories)
- Religion (Christian, Muslim, Hindu, Buddhist, Jewish, atheist, other)
- Sexual orientation (heterosexual, gay/lesbian, bisexual)
- Special needs/disability (yes/no)
- Chronic condition (yes/no)
- Education (None, Primary school (6 years), Secondary school (9 years), Secondary Vocational Training, Lyceum (12 years), Post-secondary vocational training, Higher education)
- Years in Education
- Employment status (unemployed for less than 12 months, unemployed for more than 12 months, temporary job; not a stable work, part time employment, full time employment, homemaker, pensioner, other)
- Family income (up to 4,500 Euros, between 4,501 and 6,000 Euros, between 6,001 and 12,000 Euros, between 12,001 and 20,000 Euros, between 20,001 and 30,000 Euros, between 30,001 and 40,000 Euros, more than 40,000 Euros)

In the total sample, the average age of female respondents is 46.4, while the male respondent's average age is 40.6 years old; the youngest are 16 years old and the oldest 90 years old (age-related data are available for 96% of the sample). Gender is represented almost equally in this non-random sample (females: 50.4% and males: 49.3% plus 2 transgender cases). Almost 42% of them are married, while another 42% are not married and 6.5% are divorced. According to the relevant question, 31% of the respondents have no children, while 17.4% have 3 or more children. About one fifth of the sample lives alone and another fifth lives with a spouse and two children; 6.5% of the family compositions refer to a single parent family. About 9% of the respondents have completed just primary education and 2.3% never went to school, but the mean value of the years spent in

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education is 12. The majority of the sample lies heavily on long-term unemployment (25.3%), while another 9% is unemployed for less than 12 months. In the same line, almost 40% are employed (full-time, part-time, temporary jobs). Pensioners represent 13% of the sample and homemakers are less than 3%. About 60% of the respondents have pension insurance. Almost 19% of the respondents (who answered the specific question) suffer from a chronic condition, while 9% have special needs. The majority of the respondents are Christian (83.5%), Greek (81%) and Heterosexual (94%). This also means that into the total sample, and especially in the VSG subsample, there is strong evidence of out-of-the-norm individuals.

While the total sample demographics & characteristics vary between the subsamples at certain topics covered by the interviews, the module about single and/or multiple discrimination is not one of them (see below for the variables derived by these modules). In Table 7.1 half of the VSG respondents reported that they have experienced (single) discrimination without altering the frequency of the statement which stands for the total sample. Similarly, the frequency is almost identical between the VSG sample and the total sample as concerns the experience of multiple discrimination. Of course, this may be considered as an effect of the two very different subsample sizes and the absence of specific weights, but a closer examination reveals that the two groups (VSG & CG) also have very similar affirmative frequencies on the same questions: 53.1% & 48.5 respectively as concerns (single) discrimination and 26.8% & 24.5% respectively as concerns multiple discrimination.

- Respondents' experience of discrimination (yes/no)
- Respondents' experience of multiple discrimination (yes/no)
- Respondents' perspectives about occurrences of multiple discrimination in various areas of interest in Greece (employment, education, access to health services, dealing with public services, bank transactions, legal system,

public transportation, use of common areas, use of recreational areas)

- Respondents’ perspectives about the degree to which multiple discrimination problems exist in Greece (to a very small degree, to a small degree, to a moderate degree, to a large degree, to a very large degree)

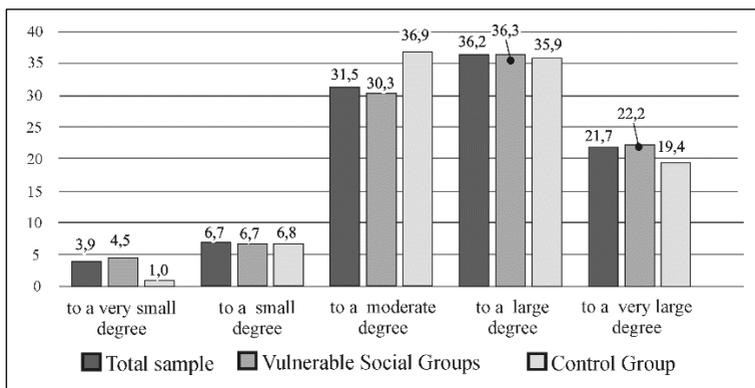
Table 7.1: Respondents’ experiences of discrimination and multiple discrimination

	Have been discriminated against				Have suffered multiple discrimination			
	VSG sample		Total sample		VSG sample		Total sample	
	N.	%	N.	%	N.	%	N.	%
No	235	46.8	287	47.6	360	73.2	431	73.6
Yes	267	53.2	316	52.4	132	26.8	155	26.4
Total	502	100	603	100	492	100	586	100

Multiple Discrimination Questionnaire: Total sample missing values for 12 & 29 of 615 cases

The following Figure 7.1 presents the attitudes towards multiple discrimination problems as they exist in Greece according to the respondents’ statements, by three different sample groups. It is evident that no clear distinction can be made based solely on the views that the three groups have towards multiple discrimination problems in the country. The views expressed in every case acknowledge the problem as an important one in the current social circumstances without significant differences.

Figure 7.1: Degree to which multiple discrimination problems exist in Greece according to the respondents' perspectives (%)

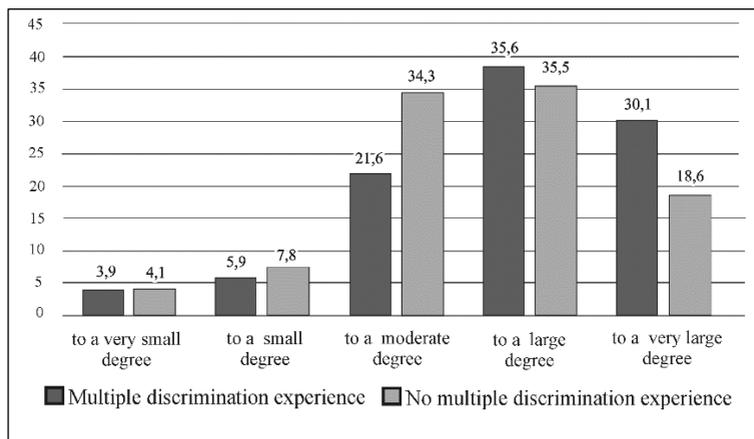


Multiple Discrimination Questionnaire: N=594, N=491, N= 103 by separate sample

7.3 Research question & initial findings

The respondents' views may well be differentiated when accounting for the fact (or its absence) of multiple discrimination experienced (or not) by certain respondents. The Figure below represents an unequal degree between those who have suffered multiple discrimination and those who have not. The problem exists to a large or very large extent for almost 70% of the former and for about 55% of the latter (the difference concerning the acknowledged degree of the problem between these groups is statistically significant at 1%).

Figure 7.2: Degree to which multiple discrimination problems exist in Greece according to the respondents' perspectives and experiences (%)



Multiple Discrimination Questionnaire: N=153, N=414 by multiple discrimination/non-experience

It should be noted that a unique definition about multiple discrimination is not a universal characteristic in the relevant literature. As an issue it has remained open to debate for many decades and by many scientific disciplines and traditions. From inequality studies to human rights advocacy and from fieldwork research to EU legislation, discrimination on more than one ground has acquired many working definitions. Very often different terms are used interchangeably, even when they differ significantly. When researchers define discrimination as “multiple” or “compound” or “intersectional” or “additive” or “accumulative”, they refer to a discrimination incident, which occurs due to more than one ground, context and time (Sheppard, 2011). More often than not, we found various working examples rather strict scientific definitions under the observation of multiple discrimination. Down this line, discrimination may occur when an individual faces discrimination on at least one ground and/or in at least one context at the same time or not, and this can be observed

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separately or not. This working definition may serve the simplest research cases (single discrimination), as well as the most complex ones (multiple). Of course, it is not to be forgotten that fieldwork surveys are based on self-perceived events and that they may facilitate the research procedure in some ways (mostly technical), but may pose certain obstacles on specific policy design proposals.

The fact is that being part of a particular vulnerable social group is not self-explanatory in general as concerns certain experiences of discrimination (and much less of multiple discrimination), and stresses two important questions: (a) which factors and to what extent may they co-influence this kind of negative experience, and (b) the significance that the socioeconomic background of the individuals may have towards or out of (multiple) discrimination. Our exercise attempts to address these issues through an empirical investigation. The quantitative investigation of our research questions is based on a thorough analysis of differentiation, discrimination and inequality; in particular, group differences and group inequalities are based on selected demographic and socioeconomic characteristics. According to Table 7.2, 47.3% of the total sample has not suffered any kind of discrimination. On the opposite side, 26.5% of them suffered multiple discrimination. In between there is a 26.2%, which have been discriminated against, but have not suffered multiple discrimination. The output of this self-perceived experience solely for the VSG is identical, but for its sample size.

Table 7.2: Single and multiple discrimination experiences (%)

		Have suffered multiple discrimination		
Have been discriminated against		No	Yes	Total
No	N	276	0	276
	%	47,3	0	47,3
Yes	N	153	155	308
	%	26,2	26,5	52,7
Total	N	429	155	584
	%	73,5	26,5	100

Multiple Discrimination Questionnaire: Total sample missing values for 31 of 615 cases

Table 7.3: Respondents' views about occurrences of multiple discrimination in various areas of interest in Greece, by discrimination experience (%)

"Very often" occurrence in...	Have suffered multiple discrimination	Have been discriminated against	No discrimination experience	Total sample
Employment	49.0	41.8	27.0	34.4
Education	32.2	24.6	16.0	20.3
Access to health services	32.0	27.2	17.7	22.4
Dealing with public services	29.0	27.2	17.9	22.5
Bank transactions	18.4	15.3	8.6	12.0
Legal system	30.2	27.2	18.8	23.0
Public transportation	24.8	23.3	15.5	19.4
Use of common areas	20.4	20.1	9.8	15.0
Use of recreational areas	16.9	14.0	6.5	10.6

Multiple Discrimination Questionnaire: Total sample missing values for 25 of 615 cases

To a great extent, differences in experience also lead to differences in perspective. Respondents' views about how often multiple discrimination occurs in various areas of interest in Greece is not an exception. For example, 34.4% of the sample find the labour market to be the most sensitive area in which

multiple discrimination occurs very often, but this evidence varies dramatically. Those who have suffered multiple discrimination raise this particular point of view to almost 50%, while those who have not suffered any kind of discrimination limit the same perspective to almost 25%. Table 7.3 represents these gaps among the distinct groups according to their varying (self-perceived defined) discrimination experience.

7.4 Method & empirical evidence

The first step in our empirical analysis is to estimate two maximum-likelihood probability models reporting marginal effects on selected dependent variables. The latter refer to the dichotomous categorical variables of self-perceived discrimination (single & multiple). By this approach we examine the effect in the probability for an infinitesimal change in each independent binary variable (Baum, 2016; Rabe-Hesketh and Everitt, 2004; Agresti, 2002). Table 7.4 presents two models in parallel: in each model the dependent variable is binary (yes/no), while the first examines the probability of single discrimination ($Y=1$) and the second the probability of multiple discrimination ($Y=1$).

The effect of “gender” (categorical variable, male=1, female=2, transgender=3) is one of the most significant in both cases. It affects the probability of single discrimination positively (meaning for worse in this case of negative outcome), and in the opposite direction for the probability of multiple discrimination experience. This finding becomes clearer examining the influence of the “female” variable (female=1, not female=0). The direction of the influence is altered for the gender in the specific meaning that the females in the sample are more likely to have suffered multiple (and comparatively no single) discrimination than the non-females. Age (variable with values from 16 to 90) may influence moderately the probability to have been discriminated against, but not so much in significance as concerns multiple discrimination. The same direction and significance stand for the age group of the youngest part of the sample (age group: 16-25). “Marital status” (categorical variable

for single, married, separated, divorced, widowed, in civil partnership individuals) influences the probability in the same direction in both cases; the latter categories of the variable are closer to being discriminated than the former. The “religion” variable is also used in its categorical form (Christian, Muslim, Hindu, Buddhist, Jewish, atheist, other) and, while it is not significant as concerns the probability of single discrimination, it appears to be significant as concerns multiple discrimination. The “sexual orientation” variable (also a categorical one: heterosexual, gay/lesbian, bisexual) is very significant and in positive direction for both probabilities of discrimination. The model did not fit well an exclusive “transgender” variable when tested specifically, but it is fitted well when the issue of orientation is examined in particular. The “family income” variable (used a binary one with a cut-off at “up to 4,500 Euros” against all other non-missing cases) is also significant and influences positively the probability of having discrimination experiences. The employment status of the respondents is represented by three distinct binary variables (“unemployed for more than 12 months”, “temporary job or not a stable work”, “pensioner”). The first two affect positively the probabilities of being discriminated in each form, but the last one has a different effect. Being a pensioner (i.e. receiving a monthly old-age benefit by the state) in this sample leads away from having a single or multiple discrimination experience. The set of variables used in these models without apparent strong effects on the selected probabilities are the number of children, (eight mutual exclusive groups of) nationality, the cases of chronic conditions, and education attainment for secondary vocational training.

The next step in this exercise is to estimate odds ratios (OR) and relative ratios (RR) for specific socioeconomic variables. The theme for this analysis is centred on two items: income scales and employment status. This way we can proceed with the estimation techniques of logistic regression and multinomial logistic regression when dealing with categorical data (Gould, 2000). These data directly refer to self-perceived single and/or multiple discrimination without interference by any other

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variable as in the model above. Odds ratio is a widely acknowledged statistical technique as concerns the examination of whether or not the probability of 0 or 1 (in our analysis a negative: discrimination versus a positive: non-discrimination outcome) is the same in two distinct socioeconomic groups when being compared (Long and Freese, 2001; Tarling, 2009). Furthermore, every single OR is based on the comparison of the relative frequency of a single event (experience of discrimination) between two groups, which means that the rest of the distribution is not considered anymore.

For the estimations in Tables 7.5 and 7.6 we use logistic regressions without weights reporting odds ratios instead of coefficients. As we can see, the probability is always against the comparatively lower income groups. The higher (or lower than 1) the value of odds ratios, the greater the degree of inequality between the two groups. Its absence (i.e. equality) would mean odds ratio of 1. Nevertheless, it should be noted that as we move towards higher income cut-offs, the OR is getting lower, as well as its statistical significance. The “family income” variable we use is not a continuous one, but instead a categorical one based on the available answer categories of the questionnaire, and this poses severe limitations in the particular examination. Nonetheless it is clear that the effect of income is strong and negative for individuals with comparatively lower income (especially under the cut-off of 12,000 Euros).

Table 7.4: Estimated marginal effects on the probability of “have been discriminated against” and/or “have suffered multiple discrimination”, total sample

Variables	Model 1: Y=Prob (have been discriminated against)			Model 2: Y=Prob have suffered multiple discrimination)		
	Marginal effects	Standard Error	P> z	Marginal effects	Standard Error	P> z
Gender	1.0791***	0.2715	0.000	-0.7962***	0.2074	0.000
Female	-0.8045***	0.1219	0.000	0.6806***	0.1449	0.000
Age	-0.0075**	0.0028	0.006	-0.0016	0.0021	0.459
Age group 16-25	-0.2024*	0.0929	0.036	-0.0690	0.0680	0.355
Marital status	0.0510*	0.0238	0.032	0.0454**	0.0169	0.008
Family composition	0.0018	0.0176	0.917	0.0076	0.0143	0.598
Number of children	-0.0005	0.0011	0.651	-0.0004	0.0009	0.666
Religion	0.0105	0.0187	0.575	0.0277*	0.0134	0.039
Nationality	-0.0086	0.0163	0.595	-0.0091	0.0143	0.525
Sexual orientation	0.3455**	0.1327	0.009	0.2231**	0.0731	0.002
Chronic condition	-0.0787	0.0730	0.281	-0.0444	0.0579	0.442
Sec Vocational Training	0.2034	0.1350	0.178	0.1375	0.1494	0.306
Family income up to 4,500€	0.1207*	0.0562	0.034	0.0952*	0.0479	0.041
Long-term unemployment	0.1353*	0.0665	0.047	0.1334*	0.0612	0.020
Temporary work	0.2217*	0.0826	0.016	0.1655*	0.0908	0.043
Pensioner	-0.2344*	0.0976	0.023	-0.1637*	0.0537	0.026
Vulnerable social group	0.0205	0.0761	0.787	-0.0322	0.0671	0.621

Multiple Discrimination Questionnaire: Statistical significance according to p-values at 5% (*), 1% (**), 0.1% (***), N=401 & 390 respectively

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Table 7.5: Multiple discrimination experience by income scale odds ratio (reference group: the lower scale), vulnerable social group and total samples

Family income	Have suffered multiple discrimination					
	VSG sample			Total sample		
(in Euro)	Odds ratio	Standard Error	P> z	Odds ratio	Standard Error	P> z
Less and more than 4,500	2.119***	0.4807	0.001	1.866**	0.3941	0.003
Less and more than 6,000	1.762**	0.4047	0.014	1.670**	0.3497	0.014
Less and more than 12,000	1.664	0.5348	0.113	1.520	0.4031	0.114
Less and more than 20,000	0.970	0.4184	0.944	1.045	0.3675	0.901
Less and more than 30,000	2.247	2.4406	0.456	1.442	0.9429	0.576

Multiple Discrimination Questionnaire: OR statistical significance according to p-values at 5% (*), 1% (**), 0.1% (***), N=407 & 483 respectively

Table 7.6: (Single) Discrimination experience by income scale odds ratio (reference group: the lower scale), vulnerable social group and total samples

Family income	Have been discriminated against					
	VSG sample			Total sample		
(in Euros)	Odds ratio	Standard Error	P> z	Odds ratio	Standard Error	P> z
Less and more than 4,500	2.094***	0.4351	0.000	1.838***	0.3513	0.001
Less and more than 6,000	1.458	0.2889	0.057	1.419	0.2559	0.052
Less and more than 12,000	1.601	0.4132	0.068	1.610**	0.3474	0.027
Less and more than 20,000	0.973	0.3651	0.942	1.223	0.3650	0.501
Less and more than 30,000	0.886	0.6827	0.876	1.439	0.7368	0.478

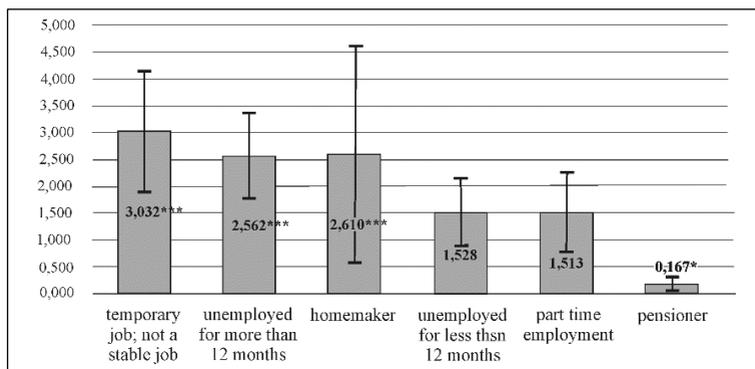
Multiple Discrimination Questionnaire: OR statistical significance according to p-values at 5% (*), 1% (**), 0.1% (***), N=415 & 497 respectively

For the estimations in Figures 7.3 and 7.4 we use multinomial logistic regressions without weights reporting relative ratios. As in the case of OR, the focus is on two pairs of observations for each variable under examination (Hao and Naiman, 2010). The aim is to examine whether the probability of negative versus positive outcome is the same in each pair. Each RR takes values higher than 0 and lower or higher than 1 which is the focal point. As in the OR, when the RR is equal to 1, there is no significant difference between the groups as concerns the outcome in question. The values below or above 1 may also interpret the direction of the inequalities according to which group is set as the reference group in any particular exercise.

The sets of relative ratios below compare the group of individuals with full-time employment against six other groups with different employment status. The picture is very similar in both cases of multiple and single discrimination, while our focus here lies on the multiple form. Those individuals who have temporary jobs or not stable work, have very higher probabilities to experience multiple discrimination as compared to those of individuals with full-time employment. The group of individuals with long-term unemployment is second in line, but with also very high probabilities to face multiple discrimination in comparison with the reference group. The examination is inconclusive as concerns the groups of homemakers, the unemployed for less than 12 months, and part-time employees due to low statistical significance. On the other hand, the group of pensioners in this sample has better probabilities not to be discriminated against than the reference group. These results are in line with what is already observed by the econometric models above.

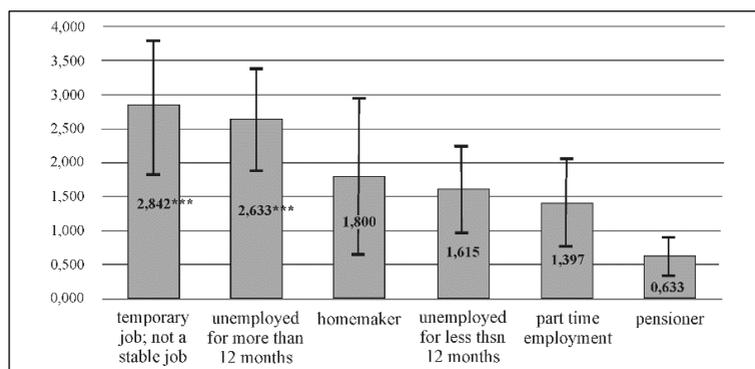
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Figure 7.3: Multiple discrimination experience by employment status relative ratio (reference group: full-time employment), vulnerable social group sample



Multiple Discrimination Questionnaire: RR statistical significance according to p-values at 5% (*), 1% (**), 0.1% (***), N=449

Figure 7.4: Multiple discrimination experience by employment status relative ratio (reference group: full-time employment), total sample



Multiple Discrimination Questionnaire: RR statistical significance according to p-values at 5% (*), 1% (**), 0.1% (***), N=521

7.5 Concluding remarks

In this paper we examined specific aspects of differentiation, inequalities, and discrimination among various socioeconomics

groups. The sample of individuals we analysed mainly consists of persons categorised by the sampling process as members of various vulnerable social groups. In our analyses, we argued that belonging to a vulnerable social group does not necessarily mean an experience of discrimination; let alone an experience of multiple discrimination. This was evident from the beginning and this is why it is presented as our first concluding remark. In fact, there is one more reason for this. It should be noted that discrimination experiences and specific vulnerable social groups are not a tautology. They are an issue of research interest as to when, how and under what circumstances the one relates directly or indirectly to the other. Individual characteristics and socioeconomic backgrounds play a key role especially when we put multiple discrimination in parallel to particular structures of inequality. The fieldwork conducted in Greece concerning the survey of multiple discrimination is invaluable. Nonetheless, there are at least three directions for the scientific investigation in the field to move forward. The evidence derived by the income and the labour market examination is very useful, and it would be even more useful if future quantitative surveys in the field managed to include more data in structured factors, such as wealth, debt, property, housing etc. Another way forward is perhaps a follow-up, because the need for survey on discrimination is unfortunately a need with a given past and an uncertain future. Finally, cross-country comparison may be the most valuable addition to the relevant literature and examination in the future. Unfortunately, these suggestions for the future also highlight a few of the major weaknesses of this paper (for example, static, non-comparable evidence). Furthermore, we could summarise the following concluding remarks based on the evidence of our empirical investigation:

- The examination of multiple discrimination data as concerns the experiences and perspectives of the respondents reinforce the evidence that there are certain similarities, but also great differences among individuals belonging to the same social groups. While individual characteristics interplay with socioeconomic backgrounds,

our investigation was able to grasp particular outcomes if not the processes which may lead to them.

- Physical characteristics as age and gender have a strong effect on the probabilities of (multiple) discrimination. The same also stands for religion, marital status and sexual orientation especially for people out of the norm.
- The socioeconomic status plays an important role in having or not having a (multiple) discrimination experience. Lower statuses cannot be expected to confront the problem effectively. The effects of income and employment are very strong especially when the lower parts of the distributions are taken into account. At the same time, the educational attainment levels seem to not affect in any direct way the probabilities for discrimination and perhaps this is the most disconcerting evidence.
- The use of self-perceived data could pose serious obstacles in the analysis of discrimination, but evidence suggests otherwise. The results are very similar to what is expected by an analysis of poverty and/or structured inequality concerning the poorer and the most disadvantaged groups.

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Chapter 8

Experiences of and Factors Contributing to Discrimination in Greek Hospitals, from the Perspective of Healthcare Users, Physicians, Nurses, and Hospital Administrators

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*Matthew Matsaganis***

8.1 Introduction

Research from across the globe speaks to the many determinants of health disparities that disproportionately affect a range of populations, including women, individuals with low socioeconomic status, ethnic and racial minorities, immigrants and refugees, people with disabilities, and individuals who identify as lesbian, gay, bisexual or transgender (LGBT). Health inequalities –that is, systematic and avoidable inequalities in health outcomes– can be attributed to a wide variety of factors, including discrimination, which is the focus of our study. Discrimination has been associated, for instance, with a higher risk of cardiovascular disease among African American men compared to American men of European descent (Lockwood, Marsland, Matthews and Gianaros, 2018), a higher incidence of depression among women who identify as lesbian versus women who identify as heterosexual (Logie, Lacombe-Duncan, Poteat and Wagner, 2017), and various psychosomatic problems among immigrant minority students in Germany, the Netherlands, and Sweden (Kauf, Wölfer and Hewstone, 2017).

Both health disparities and discrimination are difficult but not intractable problems. There are many examples of policy, educational, and other types of interventions designed to reduce, if not eliminate, them both and their deleterious effects on individuals (Metzl, Petty and Olowojoba, 2018; Williams and Purdie-Vaughns, 2016). In one study, for example, Chapman et

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al. (2018) report on an intervention in the U.S. designed to modify implicit and explicit attitudes of medical trainees toward Latino patients. That study's authors carried out the intervention in a hospital and hospitals are frequently identified as a locus where both discrimination is likely to occur, but also where interventions to address health inequalities—especially multilevel interventions targeting the organisational, healthcare provider, and the individual patient levels—can prove effective.

In this broader context, our multi-level study focuses on the Greek healthcare system and specifically on hospitals. We draw on interviews conducted with healthcare service users, physicians, nurses, and hospital administrators, to provide insight regarding perceptions and experiences of discrimination in the hospital setting, elucidate causes, and identify best practices and possible solutions in the direction of eliminating discrimination and related health disparities. We chose to focus on Greek public hospitals particularly for several reasons. We did so primarily because there is a lack of data on discrimination and healthcare in Greece. But also for two additional reasons: (a) because the Greek healthcare system has been severely challenged by two protracted crises, an economic one that started in 2010 and the refugee crisis that has affected many European Union (EU) countries from 2015 onward; and (b) because of policy changes approved by the Greek Parliament in recent years that continue to shape how the healthcare system addresses cases of discrimination.

8.2 Defining and Understanding Discrimination

There is no universally accepted and applied definition of discrimination. Moreover, scholarly and legal definitions and the way we understand the concept in everyday life can vary considerably. Here we adopt the definition proposed by Makkonen (2002: 4) based on General Recommendation 18 of the United Nations' Human Rights Committee (1994):

Discrimination refers to any distinction, exclusion, restriction or preference is based on any ground such as race, colour, sex, language, religion,

political or other opinion, national or social origin, property, birth or other status, and which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise by all persons, on an equal footing, of all rights and freedoms.

The task of defining discrimination grows more challenging considering the fact that individuals are not defined by just one characteristic or another (e.g., being of lower socioeconomic status, being a woman, of minority background, an immigrant or refugee, being gay) and in many cases they are likely to endure discrimination on several grounds. Social scientists and legal scholars use an array of terms to describe such situations. For our purposes, we focus on two terms that are helpful for understanding the experiences of healthcare service users: *multiple discrimination* and *intersectional discrimination*. The first refers to situations in which a person suffers discrimination on several grounds, but the individual experiences discrimination on the basis of one defining characteristic at a time. The second term describes situations in which an individual is subjected to discrimination on several grounds operating and interacting at the same time (Makkonen, 2002: 10–12). For instance, in the United States, minority background women have had to battle prejudices and stereotypes (i.e., attitudes that underlie discrimination) that are different from those that affect other women or minority background men. For instance, African American women have historically been depicted as hypersexual (Shaw, 2006), which can impact how they are treated as patients and, in turn, their behaviour as healthcare users. Considered in relation to one another, the idea of intersectional discrimination is more inclusive than the notion of multiple discrimination, which is why it is the term we will use hereafter.

Individualistic versus institutional/structural approaches to discrimination. Equally relevant for our study is an understanding of different types of discrimination, based on how and where it manifests. Considerable attention has been given to forms of direct discrimination that occur in interpersonal communication (e.g., when one co-worker refers to another with

a racial slur). But discrimination can also be *institutional* or *structural* (Dirt and Branscombe, 2017); it can be the product of practices and policies of an organisation, institution, or a society as a whole created in such a way that they produce discriminatory effects (e.g., policies in corporations that disadvantage female employees making it harder for them to get promoted).

Discrimination as a single event and discrimination as a process. An emphasis on institutional discrimination also surfaces the reality that although discrimination may be identified in *single events*, it frequently is best considered as a *process* (Bowling, 1993; Makkonen, 2002) through which certain people are disadvantaged. In studying discrimination in hospitals and in a broader healthcare system where everyday events are shaped by the interaction of policies (e.g., national healthcare policies, organisational rules), professional norms and established practices, and individual beliefs and attitudes, the notion of discrimination as a process is at least equally (if not more) salient to that of discrimination that occurs in single events.

8.3 Discrimination and Healthcare Disparities

Discrimination in the healthcare context can be associated with disparities in health outcomes affecting those groups of individuals who are treated unfairly. In the public health field, the majority of studies have focused on documenting sources of discrimination and the factors contributing to the manifestation of disparities. A wide array of populations have been studied, ranging from individuals who have experienced hearing and vision loss (Sirch, Salvador and Palese, 2016), to individuals who identify with a variety of ethnic backgrounds, such as Roma (Logar, Pavlič and Maksuti, 2018), to sexual and gender minority populations (Jabson, Mitchell and Doty, 2016), to individuals who are living with stigmatised health conditions, such as HIV/AIDS (Marsicano et al., 2014). There are fewer studies, however, that consider the relationship of intersectional discrimination and health disparities; typically, the focus is on discrimination based on one characteristic.

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In Europe, the broader context in which our study on Greece is situated, there is general absence of statistical data on intersectional inequalities in health. Perhaps the most comprehensive and insightful recent study on this issue is that published in 2013 by the European Union Agency for Fundamental Rights (FRA). Based on qualitative fieldwork conducted in five European Union member-states (Austria, Czech Republic, Italy, Sweden, and the United Kingdom), FRA reports on the types of discrimination experienced by healthcare service users, highlighting direct and institutional (or structural) forms of discrimination that produce health-related inequalities. FRA data suggest, for example, that direct discrimination can take the form of delay of treatment, denial of services, harassment, undignified treatment and stereotyping, as well as lack of informed consent. FRA researchers also underscore the significance of communication and language barriers to using healthcare services, and, more specifically, the inadequate or non-existent interpreter services that make accessing and using healthcare services problematic for immigrants and refugees (FRA, 2013). Additionally, though, the FRA report points to ways in which institutional or structural discrimination manifests. For example, according to the report, health providers were frequently reluctant to associate barriers to healthcare as discrimination, insisting that “everyone is treated equally as professional ethics, expressed in the Hippocratic Oath, prevent health professionals from treating anyone differently because of their sex, age, disability, ethnic or national origin” (FRA, 2013: 8–9).

8.4 The Case of the Greek Healthcare System

Greece was not included in the 2013 FRA study and therefore we hope that our data will contribute toward developing a more comprehensive understanding of discrimination in healthcare across the EU. The case of Greece is particularly interesting, given the challenges the healthcare system has had to grapple with; challenges related to the refugee crisis affecting many European countries in recent years, but also a chronic economic

crisis that began in 2010 (as in most of Europe). These two crises have put enormous strain on the Greek healthcare system.

In a recent study by the Global Burden of Disease 2016 Greece Collaborators (2018), the authors highlight several ways in which the protracted financial crisis (and attendant contraction of healthcare expenditure) has impacted population health. For instance, mortality has increased from 997.8 per 100,000 residents in 2010 to 1,174.9 in 2016 (i.e., an increase of 17.8%). Other studies also support the notion that health and well-being indicators in Greece have deteriorated sharply since the beginning of the latest economic crisis. In 2013, it was estimated that 60,000 individuals over the age of 65 were going without necessary medical care and that the proportion of Greeks seeking medical care at “street clinics” set up by the international non-governmental organisation Doctors Without Borders had increased from 3% before the crisis to 30% (Stuckler and Basu, 2013). Moreover, every year from 2009 onward and compared to 2007 (before the crisis), more Greeks indicated that their health was “bad” or “very bad.” The overall number of suicides also increased by 17% between 2009 and 2012 (Kentikelenis et al., 2011). Since the onset of the crisis there has also been a substantial increase in the prevalence of depression among most age groups, with younger Greeks more likely to exhibit depression (Economou, Madianos, Peppou, Patelakis and Stefanis, 2013). Additionally, the country experienced an HIV outbreak, primarily affecting intravenous drug users (European Centre for Disease Prevention and Control 2012).

8.5 A Socio-Ecological Theoretical Framework

Our study is guided by a general socio-ecological perspective. As articulated by Stokols (1996), “a key feature of ecological models is that they incorporate two or more analytic levels (e.g., personal, organisational, community)” (p. 287). Such models are contrasted to behaviour change models that focus primarily on individual health behaviours and underlying health-related attitudes and beliefs. A socio-ecological approach to the study of discrimination and healthcare directs us to consider the factors

that independently and in interaction contribute to discrimination and its effects; factors at the individual level (e.g., healthcare users' socio-demographic characteristics, language proficiency), the interpersonal (e.g., healthcare user and health provider communication), the organisational (e.g., a hospital's material and human resources, established hospital practices and policies), and the national policy-level (e.g., policy provisions protecting vulnerable populations against discrimination in healthcare settings).

8.6 Research Questions

Driven by extant research (and the gaps identified in it) and informed by a general socio-ecological perspective, our study endeavoured to address two broad research questions:

RQ1: What are healthcare users' and health providers' perceptions around and experiences with discrimination in hospitals and the population groups that are affected by it?

RQ2: What do healthcare users and health providers consider to be factors that contribute to discrimination and factors that protect individual healthcare users against it? And, more specifically, what are those processes or practices that reify or exacerbate discrimination?

8.7 Methodology

In this paper, drawing on data collected through semi-structured interviews administered face-to-face with healthcare administrators and healthcare providers in four (4) major hospitals of Athens, Greece ($N=24$), but also in-depth interview data from hospital patients ($N=20$), we provide insight regarding perceptions and experiences of discrimination in the healthcare setting, identify possible causes, and point to possible best practices.

8.8 Research Setting

Our research sites were four major, public hospitals located in the centre of the city of Athens, in Greece: one general hospital that offers comprehensive medical services, one hospital historically known for its obstetrics and gynaecology units, a cancer and oncological hospital, and a hospital with a pulmonology emphasis. The hospitals were selected based on their location in the centre of the city, because together they covered a broad array of medical specialties, and due to the fact that they treated a significant proportion of patients from vulnerable populations.

8.9 Participants and Data Collection

Driven conceptually by a socio-ecological approach, the study's research design is also multilevel. We collected data from individual patients (at the micro-level), but also healthcare professionals, namely physicians, nursing staff, and hospital administrators (at the meso- or organisational-level), in July and August of 2018. Research protocols were reviewed and approved by the administration of each of the hospitals. Additionally, we reviewed existing national-level policies pertaining to healthcare to help contextualise our findings.

Micro-level data collection. Semi-structured interviews were conducted face-to-face with a purposive sample of 20 users of healthcare services (approximately five in each of the four hospitals), including female refugees (some of which Muslim), male and female immigrants, both younger adults and older individuals with an ethnic minority background, elderly men and women in retirement and with low incomes, individuals without health insurance, and individuals living with a disability. Our final sample included 12 women and 8 men, ranging in age from 19 to 80 years old. Of these individuals, 10 identified as Greek native-born and 10 as foreign-born. Native-born participants included individuals who identified as Roma. The average duration of the interviews was 45 minutes (duration range: 20-60 minutes).

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Generally, interviews were conducted on the premises of the four hospitals. Interviews covered a variety of topics, including: (a) whether or not individuals felt that they had ever been subjected to discrimination, in general, and as patients, more specifically, (b) the most significant challenges participants faced in addressing health issues, (c) individuals' perceptions around the quality of healthcare they received, (d) healthcare service users' reactions in instances where they felt they suffered discrimination, and (e) individuals' recommendations for addressing discrimination most effectively in the future.

Individuals were recruited through several healthcare professionals. These intermediaries were asked to help investigators identify persons who belonged to one of three target groups that get recorded in official hospital records (i.e, individuals lacking health insurance, immigrants, and refugees) and individuals who had health needs that required the frequent use of healthcare services. Our final sample included individuals who were likely to have experienced discrimination although they may not have filed a formal complaint. In some cases, respondents referred to experiences of discrimination they had witnessed happening to others.

For participants with immigrant or refugee status whose language proficiency was not adequate to be interviewed in Greek, interview schedules were translated into English and investigator-patient communication transpired in English; in a few cases interviews were facilitated by an interpreter. Some of the interpreters worked for a non-governmental organisation through which the interviewee was contacted and others were friends or family members of the interviewee ensuring that the participant felt comfortable during the interview.

Meso-level data collection. Semi-structured interviews with a purposive sample of 24 healthcare professionals (physicians, nursing staff, and hospital administrators) were also conducted at the same time micro-level data were collected. Most of these interviews were also conducted in person, at the hospitals where participants were employed, although in a small number of cases they were completed over the phone, to accommodate

individuals' busy schedules. Interviews with healthcare professionals also covered a variety of issues, including: (a) practitioners' general views around healthcare and (b) the quality of healthcare services provided in Greece, (c) health professionals' ability to work with patients who are vulnerable to discrimination, and (d) their views as to what can be done to improve practitioners' readiness to help these patients. Investigators also talked with health professionals about (e) their experiences related to discrimination in the hospitals (or other healthcare centres) where they had been employed, as well as (f) factors that contributed to discrimination and (g) possible remedies.

Our sample included physicians (37%), nursing staff (29%), hospital administrators and administrative staff (34%). Among the healthcare professionals interviewed, 15 (62%) were men and 9 (38%) were women. A little over half of these participants (54%) were 51-60 years old and 25% were 41-50 years old. Nearly all of the health professionals had either a post-secondary education (8%) or a four-year university-level education (90%).

8.10 Data Management and Analysis

We analysed data to address the study's research questions through a multi-stage process of inductive analysis informed by the grounded theory approach (Charmaz, 2006). In this framework, categories both emerge from the data and are informed by extant research. As Clarke (2007: 424) elucidates this approach, "theorising is generated by tacking back and forth between the nitty-gritty specificities of empirical data and more abstract ways of thinking about them".

Our primary data sources were the interviews with individual patients and with healthcare professionals. Separate coding structures were developed for these two collections. In each instance, starting with a review of a small number of interviews, we developed an initial set of coding categories, which were then refined by reviewing additional interviews until no new categories emerged. The second author coded the collection of interviews using the coding categories developed. The first

author sampled coded interviews for consistency. Ideas about the coded interview data were supplemented and contextualised with field observations, through consulting field notes and memoing.

Integration of the data sources was accomplished through the “tacking back and forth” process that Clarke (2007) describes, assisted by memoing to track our development of ideas about the data, and ongoing exploration of relevant research literature. We used NVivo qualitative data analysis software to facilitate coding and retrieval of the interview data. Our analysis, for this chapter, focused primarily on instances of discourse in which participants talked about their awareness and experiences with discrimination in the hospital setting, factors that contributed to discrimination, and recommendations about how it could be prevented and fought in the future, in order to reduce health inequalities that burden vulnerable populations.

Silverman (2003) identifies two ways for ensuring the reliability of an interpretive-analytic study and they were both employed in this project: systematising the collection of data (through semi-structured interview schedules) and cross-checking interpretations of data among members of a research team. Additionally, the relevant research literature provided a frame for the data provided by participants (healthcare service users and professionals), and functioned as part of the system of checks and balances on the researchers’ interpretations.

8.11 Findings and Interpretation

Driven by our research questions and the socio-ecological framework guiding our study of discrimination in Greek hospitals, data were collected from multiple levels across the hospital healthcare system, ranging from patients to doctors, nurses and hospital administrators, to hospitals’ Offices for the Protection of Rights of Healthcare Service Recipients (OPRHSR)¹. Next we synthesised findings from our analyses of

¹ OPRHSRs were officially established by Law 4368/2016 to inform patients regarding their rights and the processes necessary for their care

these data to elucidate healthcare users' and healthcare providers' experiences of and with discrimination, factors that contribute to the manifestation and persistence of discrimination, and healthcare users' and providers' perspectives on how to eliminate discrimination in hospitals.

8.12 Awareness and Experiences of Discrimination

The data made available by the OPRHSRs of the hospitals included in the study are not directly comparable, as every office does not have data for all the same years and because participating hospitals differed in size and capacity. One hospital's OPRHSR, for example, provided data from 2010 through the first semester of 2018, whereas another's could only provide data for 2017 and the first semester of 2018. Despite such limitations, these data do provide insight. An examination of the more comprehensive records from the first OPRHSR mentioned (i.e., of a general hospital that offers comprehensive medical services in Athens) indicated that the total number of official complaints related to discrimination filed by patients against the hospital remained relatively steady between 2010 and the first semester of 2018, with an average number of 29 complaints per year. However, in 2017 the number of complaints was 33 and in the first semester of 2018 there were 37 (i.e., the highest number reported in nine years). On a related note, the average total number of complaints filed annually on a variety of grounds, including discrimination, was 1,030. Hence, between 2010 and 2018, on average, in this hospital, discrimination-related complaints made up just under 3% of the total². Our interviews with patients and healthcare professionals in the four hospitals

in the hospital, but also to collect and process patient complaints (Plasti, 2017: 23).

² The actual number of complaints that could be related to discrimination might actually be higher. According to a 2013 study by the European Union Agency for Fundamental Rights in 5 countries (not including Greece), discrimination is underreported due to "widespread perceptions of lack of effectiveness of the anti-discrimination redress mechanisms" (FRA, 2013: 3).

included in our study also indicate that while there are cases of discrimination observed, discrimination is not considered rampant in hospitals. And, as is the case frequently with qualitative data, our interview data are more valuable for the insight they allow into how discrimination is experienced, the multiple factors that contribute to its manifestation, and the means through which it may be combated.

The perspective of individual patients. A cross-section of patients was interviewed for the purposes of this research project. Overall, very few patients considered themselves victims of discrimination in the healthcare facilities included in this study. In cases where this was the case, however, discrimination was attributed, directly or indirectly, to individuals' legal status as immigrants, refugees or asylum seekers. Participants also associated healthcare professionals' behaviour with patients' low socioeconomic status. The following quotes, from two different patients, illustrate both negative and positive experiences of refugees. In the first case, a 47-year-old, female Syrian refugee, who also identified as Muslim, says she was discriminated against because of her refugee status and her socioeconomic position. She also contrasts her experience in the Greek healthcare system to her past experiences in Syria:

I have gone to a hospital or health centre three times. The first time, the doctor treated me very badly. He did not make the right diagnosis and gave me the wrong medication. So, if I had not thrown the medication away, my skin would have been destroyed.... The third doctor did not want to give me a prescription. The [non-governmental] organisation that had taken on my case made an appointment for me with an ophthalmologist because my left eye needs surgery and with a dermatologist only 15 minutes apart from each other. The appointments were very close to one another. Because my son and I were 5 or 7 minutes late, the doctor spoke to us horribly, he yelled at us and refused to see us. I still need treatment for my

skin.... When the doctor yelled at me and my son, we got up and left and went home. What could I have told him? In my country, I used to visit a private doctor or hospital. They treated me well. But here, no. (*Patient 01*)

In the second case, a 32-year-old, female, uninsured, Cameroonian refugee and new mother expresses her satisfaction with the Greek healthcare system, as she contrasts it to the Cameroonian healthcare system.

I never felt any kind of discrimination in Greece. I received a perfect quality of health services in Greece. I'm not insured. I'm not afraid because I have a social worker that will help me out.... The health system in Cameroon is out of run. People die every day because of neglect.... A lot of people being killed every day and the hospital, even the nurses are running away. They are afraid. So you can't compare. (*Patient 08*)

Patients who were immigrants or were refugees pointed to certain limitations in the Greek healthcare system, even in cases where they compared it favourably to the healthcare system in their country of origin. In some instances, for example, foreign-born patients talked about difficulties they faced in securing an appointment to see a doctor.

Greek-origin patients were more likely to identify a broader array of limitations in hospital care. They described long delays in receiving care, a general lack in human resources, and circumstances in which they thought the medical personnel was under pressure to diagnose and treat patients in very little time. Patients also spoke of hospital deficiencies with respect to the quality of available rooms. The following is a representative quote from a 73-year old female patient and Greek native, who speaks to the issue of hospital deficiencies and attributes them to lack of organisation at the national healthcare system-level.

When a hospital is not organised and it does offer its employees the right working conditions (positive working environment, infrastructure, expendables,

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financial incentives), some things do not work and that affects patients. They do not get served on time. They get one referral after another. The wait is huge. You want to make an appointment and they give you one for after two to three months, when it may be too late for the patient. (*Patient 04*)

Nonetheless, Greek patients who were uninsured, with lower socioeconomic status, or both, were more likely to indicate that they did not experience discrimination at the hands of hospital healthcare providers. In most cases, as indicated by the following quote from an interview with a 68-year-old male patient who was uninsured, they expressed their gratitude for the care they received, despite the lack in hospital resources.

I have not experienced discrimination in the healthcare system. I got the quality of care that I needed. I am uninsured. My financial situation played no role in getting the kind of care that I needed. I am very happy with the healthcare system and the people, from the smallest to the biggest. From the cleaning lady up to the level of the professor [i.e., medical school professor]. (*Patient 06*)

In interviews, investigators asked patients about whether they felt pressured at any point –overtly or indirectly– to give medical personnel money, in order to receive treatment. In Greece this practice is referred to as “fakelaki” («φακελάκι»). The word literally means “little envelope” to refer to the way patients might informally bribe medical personnel. Patients with immigrant and refugee status recognised the practice as one that was common in their country of origin. None of them, though, indicated that they felt pressured to bribe doctors or other healthcare providers at the Greek hospital where they were receiving care. Some Greek patients, on the other hand, did acknowledge that they had, at one time or another, either proactively offered healthcare providers money in return for services (usually to receive care quicker) or that they were, in one way or another, encouraged to give healthcare professionals a “fakelaki” (not necessarily in the

hospital where they were recruited into the study). The quotes below from a 47-year old Albanian-origin woman and a low-income, 80-year-old female retiree of Greek origin capture the differences in the experiences of foreign-born patients and Greek natives.

In Albania, if someone wants to get well and he has a doctor, she will pay a bribe. It is not like in Greece, where I was not pressured to give a “fakelaki.” In Albania, you either give one or you die. (*Patient 03*) I paid a “fakelaki” for a surgery. The doctor told me that I would be undergoing an operation after 52 weeks. I could not wait and I opted to pay 2,500 Euros to speed up the process and had the surgery after six weeks. I paid the 2,500 Euros directly to the hospital. But I did not leave the doctor without compensation [either]. (*Patient 05*)

Interviewers also discussed with Greek patients their views on how healthcare personnel at the hospitals where they received services treated non-Greek versus Greek-origin patients. Native-born participants indicated that they did not believe healthcare personnel discriminated against immigrants and refugees. One such patient, however, described situations in which Greek patients felt that they had been discriminated against in favour of immigrants or refugees. The participant –a 73-year-old female retiree– added, however, that this was in situations where an immigrant or refugee entered the hospital for emergency care, and that the long wait to which Greek patients felt they were subjected as a result of the refugee’s admission was due to two reasons: (a) the fact that the hospital was short staffed, which caused long waits regularly, and (b) that healthcare personnel struggled to communicate effectively with immigrants or refugees who did not speak Greek (or another language spoken by hospital staff, such as English).

Greek doctors serve [patients] even though they do not have the means and the [right] conditions.... During a past hospital visit I saw many Pakistanis and Nigerians who happened to come in on the same

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day, and everything was delayed because doctors needed to communicate with these people who did not speak the language [i.e., Greek]. (*Patient 04*)

The perspective of health providers. A little over half of the health providers (hospital administrators, doctors, and nurses) interviewed ($n=13$) indicated that the severity of issues linked to discrimination (and intersectional discrimination) in the Greek healthcare system was moderate, while just over a third indicated that the severity of such problems in Greece was higher ($n=7$ indicated it was high or very high). Only one interviewee indicated there were no discrimination-related problems in the Greek healthcare system. The vast majority of health providers interviewed also said that among the characteristics that could influence a healthcare professional's decisions about how to treat a patient, age was the most likely candidate, followed by the patient's perceived or actual socioeconomic position (e.g., income, education level) and his or her ethnic background. Gender was mentioned by none as a factor that could influence decision-making around patient care. When asked about whether they thought discrimination actually occurred in the hospital setting and in healthcare facilities, more broadly, based on an array of criteria, all participants who responded to the question ($n=21$) agreed that there was no discrimination in these settings based on gender. A majority did point out that discrimination could occur on the basis of a person's age, but also his or her socioeconomic status and ethnic background. Investigators also asked health providers about their perceptions around the extent to which specific subpopulations were subjected to discrimination in healthcare facilities in Greece. Individuals who identified as (or were perceived to be) of Roma background were seen as the ones most likely to be subjected to discrimination, followed by immigrants. Individuals living with a disability and LGBT patients were perceived as being subjected to discrimination only sometimes or not at all by the majority of healthcare providers who were recruited for the study. We elaborate on these findings drawing on our qualitative data next.

Age. An individual's age was mentioned by most healthcare providers as a determinant of discrimination in the hospital setting. In most cases, healthcare providers indicated that they thought priority was given to elderly patients. The majority of participants contended that all patients should be treated equally, regardless of age. However, some participants, most of them doctors, asserted that the emphasis on elderly patients is misguided, because they often need not be treated in tertiary hospital settings, but in healthcare settings designed to address needs of patients with chronic illnesses. In some instances, doctors even added that attention, in hospitals, should be focused on younger patients, as their condition is often reversible, whereas in the case of elderly patients that is not the case.

Immigrant and refugee status. It was common in interviews for health providers to make a distinction between the quality of healthcare offered to patients versus the quality of hospitality services patients received from the time they were admitted to a hospital and throughout their stay there. The vast majority of doctors, nursing staff, and hospital administrators argued that the same medical care was provided to all patients. They noted, however, that discrimination might occur in the context of hospital hospitality services. Doctors indicated, for example, that in non-emergency cases there could be a delay in how quickly a doctor examines a patient who is an immigrant or refugee (compared to a Greek native). In one case, a doctor added that these phenomena are difficult to eliminate entirely as hospitals are "miniature versions of society". (*Health Provider 14*)

Interestingly, healthcare providers also discussed the changing and simultaneously persistent nature of discrimination, as old immigrant populations become more integrated into the local population and workforce (e.g., Albanian-origin individuals who immigrated to Greece in the 1990s), and new groups from other countries arrive. A member of the nursing staff at one of the hospitals spoke about how nurses who once were discriminated against themselves now occasionally discriminate against other immigrants. He talked about discrimination as

layered, “in the way Russian dolls are nested inside one another”. (*Health Provider 01*)

Roma identity. As indicated earlier, the overwhelming majority of healthcare providers who participated in the study indicated that Roma individuals were the most likely to experience discrimination in the hospital setting. In this case, too, however, providers distinguished between medical care and hospitality services in the hospital, underscoring that discrimination was more likely to occur in the context of patients seeking the latter. In a few interviews, healthcare personnel contended that Roma patients (and patients with less formal education) were unable to comprehend how hospitals operated and to appreciate healthcare facility limitations (in terms of human and material resources). Because of this lack of understanding, but also language barriers, some providers argued, these patients perceived delays as indicators of discrimination. That led them to complain, which made them appear aggressive or hostile to hospital personnel. This made patient-provider communication and healthcare delivery harder and occasionally led health providers to treat them differently from other patients. The following quotes, the first from an interview with a physician and the second from a hospital administrator, capture this theme:

With respect to Roma [patients], we face issues that have to do with their temperament, mostly; they come in groups, they are more effusive and they refuse to understand what we tell them. Principally, there are communication issues. (*Health Provider 11*)

The Roma mostly create problems for the staff, either because they want quicker service or better treatment, but also due to problems they create in their imagination. (*Health Provider 08*)

Socio-economic status. The vast majority of healthcare providers indicated that there were no incidents of discrimination based on socio-economic status in the four hospitals we focused on for the purposes of this study. However, as occurred in talking about discrimination in relation to immigrants, refugees, and

Roma patients, several providers made a distinction between discrimination in the provision of medical care and the quality of the accommodations patients had access to in the hospital. In these cases, although providers were adamant that professional obligations –deriving, at least in large part, from the Hippocratic Oath doctors take– made it so all patients received medical care of equal quality, they conceded that some patients of lower socioeconomic position were subjected to delays and lower quality accommodations. The following representative quote reflects this theme that emerged from the data: “There may be a time delay [in the provision of health services], but no difference in the quality [of the care given]”. (*Health Provider 02*)

Intersectional discrimination. In interviews, health professionals generally (with few exceptions) did not explicitly discuss intersectional discrimination, although their answers to questions facilitated understanding of the combinations of individual characteristics that are more likely to leave a patient vulnerable to discrimination. Those included being an immigrant or refugee, or identifying as Roma, in combination with being poorer and less educated, and not speaking Greek well enough to effectively communicate with healthcare personnel.

8.13 Factors Contributing to If and How Discrimination Manifests in Hospitals

Through interviews with individuals across the hospital system (i.e., from patients to hospital administrators), we sought to also better understand possible causes of discrimination. A range of contributing factors were identified, ranging from those related to professional norms (e.g., associated with the notion of health as a social good and the Hippocratic Oath) and training, to those linked to organisational or institutional characteristics and processes (e.g., regarding patient-provider communication and scarce human and material resources), to broader environmental factors (including the persistent effects of the economic crisis in Greece and the refugee crisis, but also policies such as the legal framework against discrimination in healthcare that was enacted by the Parliament in 2016).

Health as a social good and the Hippocratic Oath.

Healthcare providers attributed the general perceived lack of discrimination in the provision of medical care (contrasted in several instances, as discussed earlier, to hospital hospitality services) to the professional obligations they and their colleagues subscribe to and that derive from the Hippocratic Oath they have taken. Simultaneously, most healthcare providers who participated in the study, defined health as a social good, and several argued that because it is a social good everyone should have equal access to the healthcare system and that no one should be treated as a “burden” to the system. These providers admitted that some individuals are likely to have more needs than others for which they seek out care at a hospital. But they also noted that even patients who were uninsured may have at one point in time paid into the system, but may have since lost their job. They argued these patients should not be penalised as “free riders” burdening the public health system.

Professional training. The majority of the healthcare professionals interviewed ($n=12$) indicated that they had little to no formal training on how to treat population groups who are more vulnerable to discrimination. Some, however, had sought and received some form of training on issues such as: caring for HIV seropositive patients and intercultural mediation. Although in a couple of cases, providers indicated that no additional or special training was required to prevent discrimination, as long as providers learned to treat all patients the same, most of the health professionals interviewed emphasised the need for more training around discrimination in order to eliminate health disparities. Few participants, though, offered specific suggestions for topics such educational modules should cover.

Patient-provider communication. The vast majority of the healthcare providers recognised the importance of involving patients in their own healthcare and of communication between patients and providers for better health outcomes. Most also reflected, though, that their case loads are so high that lack of time made effective communication with every patient extremely difficult. Such time constraints led some health providers to

argue that communication with patients and especially with those of immigrant or refugee status, who did not speak Greek, could not be their concern. They recommended that hospitals employ interpreters or work more closely with non-governmental organisations which can connect health providers with the appropriate interpreters.

Scarce human and material resources. Health providers accounts of high time pressure and heavy workloads spoke to the more general lack of human and material resources in hospitals. Doctors and nursing staff spoke of the need for more ancillary services, such as those provided not only by interpreters, but also social workers.

The economic crisis and the refugee crisis. Hospitals are essential elements of the Greek public healthcare system. In their interviews, health providers explained how the prolonged economic crisis in Greece, combined with the more recent refugee crisis, has influenced hospitals' effectiveness and how discrimination is expressed and addressed. Providers elaborated on how the two crises have exacerbated negative feelings toward anyone who is different at the individual level, but also negatively affected the resources hospitals have to address patient needs on a daily basis.

Policy context. Both health providers and patients suggested additional, policy-related reasons why the public healthcare system is overburdened. A 70-year-old Greek-origin patient expressed his satisfaction with the care he had received at the hands of the healthcare providers at one of the hospitals in our study and revealed that he was uninsured, insofar as he did not contribute to the national healthcare system through money withheld from wages (*Patient 07*). He also shared, however, that he held private health insurance, which he had not used to pay for healthcare services he received at the public hospital. Hospital administrators confirmed that the information systems they rely on to manage patients have several deficiencies. One of them, as a representative of the OPRHSR in one of the hospitals included in the study said, is that there is no common information system integrated across the healthcare system and social services, so

that hospitals know who is uninsured, who has private and who has public health insurance.

Furthermore, most health professionals interviewed admitted to not knowing of Law 4368 enacted in Greece in 2016, based on which individuals even without insurance can access the healthcare system. The law marks significant progress in the policy context of Greece and provides additional protection for a number of vulnerable population groups. Of the 24 health professionals interviewed, only 6 indicated knowing of the new law and of these 2 could speak about specific provisions. Lack of knowledge of the legal framework that governs access to hospitals could foster discriminatory practices (e.g., improper denial of services).

8.14 Best Practices against Discrimination

During interviews with healthcare system users and health providers, we inquired as to practices that individuals knew had a positive effect on preventing or addressing discrimination in the hospital setting or about practices that they believed would have such positive effects.

Intercultural mediators and interpreters. Several practitioners discussed the significance of having access to interpreters to help them with patients who did not speak Greek or another language more widely spoken among hospital staff (e.g., English). In some cases, hospital staff highlighted efforts undertaken in their organisation to draw on in-house linguistic expertise. In others, doctors and nursing staff talked about working with non-governmental organisations to bring interpreters into the hospital for assistance. Yet, in some instances medical personnel expressed concern and reluctance to rely on interpreter services offered over the phone or through a non-governmental organisation. In these cases, doctors and nursing staff articulated the need for trained and certified medical interpreters or intercultural mediators.

Interconnected ancillary services, in-house and beyond the hospital. Several health professionals also talked about the necessity of well-developed social services offices inside the

hospital, as these services were critical for helping with patients with extra needs and connecting healthcare personnel with ancillary services offered beyond the hospital setting. Hospital administrators interviewed provided more elaborate recommendations. A need they frequently underscored was the improvement of the information systems hospitals use to admit, manage, and monitor patients and their integration with those information systems used by social services beyond the hospital (e.g., municipal social services), so that no patient falls through the cracks.

8.15 Discussion

The purpose of this study was to elucidate phenomena of discrimination in the Greek hospital system at an important juncture; a time at which hospitals, as organisations, healthcare professionals, and healthcare users are faced with challenges produced or exacerbated by two crises, a chronic economic crisis and a refugee crisis affecting many European countries. But our study also unfolded at a time when the Greek policy context was undergoing change. At least one important law was enacted in 2016 affecting healthcare. Law 4368/2016 was enacted to combat the social crisis produced by the protracted economic recession, as the number of unemployed individuals in Greece exploded to 1 million and the numbers of individuals without insurance grew to 1.2 million. The law provides access to all public healthcare services to individuals who are uninsured (and who are therefore not paying into social security) and to all vulnerable populations, using just their Social Security Number. Prior to Law 4368 going into effect, most documented immigrants and refugees had access to healthcare, but uninsured individuals previously self-employed and who did not pay into social security were excluded.

In this final part of the paper we emphasise and contextualise those of our findings that point to specific new research directions, but also those findings that can inform the generation of new organisational-level (i.e., within hospitals) policies, as well as national healthcare-related policies, to prevent and

combat discrimination in Greek hospitals. Doing so can eventually lead to better health outcomes for vulnerable populations and the elimination of health disparities.

8.16 Phenomena and Processes of Discrimination, and How to Eliminate Them

The limited data we received from the Office for the Protection of Rights of Healthcare Service Recipients (OPRHSR) of each of the four hospitals in our study, in combination with our data from individual patients and healthcare providers suggest that discrimination is not rampant in the Greek hospital system. Nonetheless there are incidents of discrimination and processes (and practices) that perpetuate it, which can be eliminated and halted, respectively³.

Improve monitoring, empower internal hospital mechanisms of oversight. Immigrants and refugees were more likely than native-born Greek individuals to speak about experiences of discrimination, but even those cases were few. It is noteworthy, however, that most immigrants or refugees, particularly those who came to Greece from poorer countries (including Albania, Cameroon, and Ethiopia), were inclined to evaluate the Greek hospital system as being superior to that of their country of origin and to indicate they were happy with the care they received. On the other hand, several health providers who did acknowledge that discrimination was an issue in the hospital system indicated that refugees and immigrants were among those populations affected. Taken together, these findings might indicate that patients who are poor and otherwise disadvantaged may not always be able to identify structures and practices of discrimination in Greek hospitals. This is key, because even when patients do not observe it or report it

³ It should also be noted that given research indicating that discrimination-related complaints are underreported (FRA, 2013), the incidence of discrimination in Greece may be higher than indicated by official complaints filed.

discrimination may still affect their health outcomes, thereby also reifying or exacerbating health disparities.

Hence, it is important that all hospitals adequately staff their OPRHSRs and enable them to fulfil their mission to the greatest extent possible. This means bolstering their capacity to quickly document and effectively address cases of discrimination in the hospital setting. OPRHSRs, which were established officially by Law 4368/2016, can play a key role in collecting useful and actionable data on cases of discrimination, setting goals for hospital-wide initiatives to eliminate discrimination and related health disparities, evaluating the success of such initiatives, and reporting on findings and best practices adopted by the organisation.

Train healthcare providers to spot discrimination in everyday practices. In interviews there were healthcare providers who indicated that occasionally patients “bring discrimination upon themselves” (*Health Provider 13*) and that they “create stigma for themselves” (*Health Provider 06*), particularly patients of lower socio-economic status and patients who identify (or who are classified informally) as being of Roma background. They argued that these individuals could not understand standard hospital procedures, complained about being mistreated even though they were not, which, in turn, led health practitioners to label and treat them as aggressive or hostile. Although this could be true in a small number of cases, health providers and hospital administrators should be cautioned to not sanction “blame the victim” type of attitudes and behaviours, while at the same time absolving themselves of the responsibility to protect patients against discrimination.

On a similar note, healthcare providers acknowledged that some patients may be subjected to longer waits for services and some may not receive the same quality of what they referred to as hospitality services at the hospitals included in our study. They might be subjected, for instance, to longer waits and be placed in more crowded rooms. They juxtaposed hospitality services to medical services and pointed out that doctors’ professional obligations derived from the Hippocratic Oath ensure that all

patients receive the exact same quality of medical care. Such a distinction between hospitality and medical services, however, can lead to the rationalisation and acceptance of discriminatory processes, practices and behaviours, which ultimately impact individual patients' health outcomes. These findings accentuate the need for continuing education programs and modules designed to help healthcare providers (physicians, nurses, lab personnel, hospital administration staff) better understand how discrimination manifests, how it is reified in everyday practices, and what they can do to prevent it.

Change norms to eliminate bribes in healthcare. Although not uniquely Greek, as suggested by the stories shared by immigrants and refugees who participated in the study, the “fakelaki” phenomenon is still a problem that the Greek healthcare system needs to effectively address⁴. The narratives of several Greek healthcare users suggest that the practice of bribing health providers for quicker or better service continues to be seen as normal. Health providers' accounts confirm this conclusion, although they cited improvement in the direction of curbing such practices that feed discrimination, particularly as younger generations of doctors enter the healthcare system. Normalisation of the “fakelaki” encourages individuals with the financial means to bribe healthcare providers for their services at the expense of those who are less well-off and it exerts incredible pressure on financially disadvantaged patients to find money in order to access medical services that are necessary to improve their quality of life or even save their life. A combination of initiatives is required to change existing norms around bribing in the healthcare system. More robust control mechanisms can help weed out professionals who receive bribes, while education and communication campaigns to change attitudes, norms, and

⁴ In the 2013 edition of an ongoing study by Transparency International on corruption in Greece, researchers found that the number of households reporting corruption incidents was decreasing overall (from a high of 13.5% in 2008 to 7.3% in 2013). However, 50% of those incidents reported in 2013 pertained to hospitals, a 15.5% increase compared to 2008 (Transparency International – Greece 2014).

behaviours among patients and healthcare providers can help lower the incidence of bribing in the future.

8.17 Addressing Environmental and Organisational Factors Contributing to Discrimination

Our analysis shows that environmental and organisational factors also play a role in how discrimination manifests in Greek hospitals. The economic and refugee crises together have put an enormous strain on the national Greek healthcare system, including hospitals. Doctors and nurses frequently complained about being overworked and about having very little time to interact with patients. These pressures, led several doctors to indicate either that (a) patient-provider communication suffered as a result, or that (b) communication with patients should or could not be the responsibility of doctors. We interpret these findings as evidence of how limitations in terms of material and human resources in the hospitals have created a context that could breed and sustain discrimination. This could occur because health providers cannot invest the time and effort required into communicating effectively with patients who are considered to be challenging cases (e.g., because their Greek language proficiency is limited or because they have limited health literacy, thus making it difficult for providers to get patients to understand and comply with treatment instructions).

Health providers also spoke explicitly about the significant needs of hospitals in ancillary or support services, which would facilitate better management of physician caseloads and improve the quality of care given to patients with additional needs, as is the case with immigrants and refugees. Providers spoke of the necessary help they have received or would like to receive from in-house social services departments, but also by outside agencies and organisations, including non-governmental organisations (NGO) that can provide reliable interpreter services. Interviews with providers reveal a patchwork of arrangements through which they work with interpreters of varying degrees of proficiency (ranging from a patient's family

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member, to an interpreter provided by an NGO, to certified intercultural mediators).

Additionally, although a new and progressive legal framework was approved by the Greek Parliament in 2016 (i.e., Law 4368/2016) expanding access to the public healthcare system to vulnerable populations that previously could not afford to seek healthcare at public hospitals, the overwhelming majority of health providers interviewed had little to no knowledge of it. In fact, it was only hospital administrators who were aware of at least some of the provisions of the new policy, which essentially eliminates a source of institutional discrimination. This suggests that there is a need for campaigns to disseminate information about the legal framework among health providers and patients alike. Doing so would encourage individuals from all vulnerable populations to seek care at hospitals, when necessary, without fearing of being turned away or having to incur detrimental debt. Such campaigns might also force hospitals to better prepare to serve the needs of a wider variety of patients.

Our study suggests that there is also ample room for educational campaigns around intersectional discrimination targeted to health providers. Very few of the interviewees indicated they had participated in an educational module about discrimination, whereas health providers who agreed that new educational modules around discrimination were necessary for their colleagues were generally vague with regard to what the content of such modules should be.

Beyond those organisational and environmental factors, processes and practices most directly associated with the incidence of discrimination, our interview data highlight additional issues that contribute to the hospitals' limited ability to effectively manage patients and address their needs. The most commonly discussed issue by health providers and hospital administrators was the overcrowding of public hospitals, due to two interrelated factors: the lack of adequate primary care services and of special services for patients with chronic health issues, but also the tendency of healthcare users to seek out care at public hospitals (especially at emergency care units), instead

of consulting a primary care physician first. The second, frequently mentioned issue was the lack of communication across hospitals, primary healthcare services, and the wide variety of social services established to serve the needs of those needing healthcare (e.g., hospital social services, municipal or other social services designed to help particular subpopulations, such as elderly individuals).

8.18 Conclusion

Discrimination and health disparities are difficult, but not intractable problems that affect a wide array of vulnerable populations. The international literature on their interrelationship is large and growing, yet more studies are necessary at this particularly challenging time of social change in Europe and Greece more specifically. Our study begins to address a gap in our understanding of how discrimination manifests in Greek hospitals, but also factors and processes that reify it. We hope that our findings and the general directions in the quest for solutions suggested by our research participants will inspire more multidisciplinary research and the implementation of interventions (educational, policy, and others) that will eventually ensure not only equal access to high quality healthcare, but also improved health outcomes.

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Chapter 9

Age Discrimination and Active Labour Market Policies in a context of deregulation and economic crisis

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9.1 Abstract

One of the most prominent policy interventions taken by the Greek state for tackling youth unemployment is the implementation of training voucher programmes. This article examines the extent to which trainees experienced training vouchers as a positive experience leading to a viable career route. Our findings support that employers broke their promise to provide meaningful training, using vouchers as part of their strategy to increase competitiveness and ensure survival by securing ‘free’ labour. Based on that, we theorise vouchers as a contingent and very discriminatory employment form that reinforces and maximises low-pay jobs for young people in a labour market dominated by high flexibility, bad working conditions and very low-wages. The age of the participants proved to be an important factor since employers take advantage of the limited expectations and experiences of trainees, applying strategies that would probably face higher degrees of resistance by older and more experienced employees. In addition to that, vouchers were utilised as a socialisation process through which certain expectations and norms were constructed regarding the trainees’ behaviour and performance at work.

9.2 Introduction

Training and skills have often been portrayed as an indispensable tool for helping young people to secure better and more stable jobs in a changing global environment (Leitch, 2006). In that sense, societal goals such as social mobility, fairness, inclusion and equality are assumed to be dependent on and equate with the ability of nations and businesses to

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correspond to global technological and economic change by upgrading the skills profile of their workforce and offering career opportunities for advancement (Kraimer et al., 2011). Similarly, competitive advantages are assumed to be granted to employers when skills provision and education stop providing general (abstract) knowledge and connect more directly with what the business worlds demands (Smith, 2017: 492).

These assumptions have been recently accompanied, however, by cautious warnings by international organisations that skills and training cannot solve by themselves structural problems that generate unfair outcomes such as inequality and poverty (Buchanan et al., 2017: 2-3). Research has advanced the above notion by showing how employers gain competitive advantage by utilising low-skilled employees that are much cheaper and more disposable than trained ones (Keep and Mayhew, 1998). Keep and Mayhew (2010) insist that structural variables, such as the nature of the labour market, determine the skill levels required, so any skill-upgrading will be meaningless without broader systemic changes in areas such as ownership structures, product market strategies, work organisation, job design, employee relations and others. Various studies in service sector employment confirm this trend with hotels, hospitals and retail being increasingly characterised by low-skilled and low-paid employees, whose rights are significantly undermined by changes in wage setting systems and employment regulation (Appelbaum et al., 2003). For that reason, it is not so clear-cut that training increases low-skilled worker's prospects while a growing number of employees are overqualified for the job they do (Dickerson and Vignoles, 2007).

Reports have also found that quite often employers take advantage of trainees by rebranding low-quality, low-pay and low-skilled jobs as traineeships or apprenticeships (Richmond, 2018). Previous accounts have long stressed that training-based activation programmes facilitate labour market liberalisation, providing a ready supply of cheap labour to employers and reinforcing low pay and low-quality jobs (Peck, 2001: 58). For these accounts, labour market policies (training, job search,

subsidised-wages) are conceptualised as part of a new ‘post-Fordist’ social policy paradigm that has been subordinated to the goals of flexible labour markets (Jessop, 1993). Drawing on detailed research into a short-term Vocation and Training Programme (Voucher in Tourism), this article investigates the extent to which the participants obtained meaningful training and work experience in tourism-related occupations and increased their chances to get stable and sustained employment.

9.3 Review of literature

Since the eruption of the crisis, Greek young people have experienced an unprecedented deterioration in their labour market prospects, with many of them finding themselves either in unemployment or at the lowest end of the labour market (Papadopoulos, 2016). The ‘generation of 700 Euros’, a label attached to young people before the crisis, has now been replaced by those receiving half of that amount, since most jobs are (involuntarily) part-time and temporary, while the minimum wage has been reduced by thirty two percent since 2012 for those aged under 25 (Kretsos, 2015: 39-41). These financial difficulties, coupled with nonexistent public social protection, prolong young people’s stay in their family home and delay significantly their entry to the labour market. The growing number of people belonging to those Not in Employment, Education or Training (NEETs) encapsulates the difficulties many young people are facing to access either employment or education (training) (Drakaki et al., 2015).

Within this context, policy actions for tackling youth unemployment and reducing the number of NEETs have emerged. These policies are based on the ideological assumption that training alongside other policies (labour market deregulation) will eventually help young people to overcome barriers and enter the labour market (Karalis, 2015: 2). Although the trend towards activation has been evident in Greece since the 1990s, the focus on ALMPs has resurfaced since the eruption of the crisis, with Greek employment policies much closely tied to European policy strategies either through their alignment with

EU initiatives such as Europe 2020 or by the strict implementation of the financial strategy programme's objectives (Georgiadou, 2014). For instance, under the auspices of the Youth Employment Initiative funded by the European Social Fund, Greek governments have designed and introduced youth actions with the objective to offer a training or employment option to unemployed young people under the age of 29. According to the programme's documentation, its core objective is to help participants to achieve a structured course towards labour market entry (INSETE, 2016). In addition to training, which is delivered by means of the training voucher system, the beneficiaries (participants) receive three sessions of career counselling and guidance. Finally, trainees are entitled to take exams for their certification in one of the following subjects (specialties): Telephone Operator; Restaurant and Catering; E-Commerce and Hospitality Sales and Marketing; Leisure, Fitness and Wellness; Receptionists and Information Clerks; Housekeeping Clerks; and Tour Representatives.

Organisers and providers of these programmes insist that many young people get the opportunity to build their curriculum vitae by acquiring work experience and job-specific skills instead of staying idle at home and without any money (INE-GSEE, 2016). However, there has been criticism that in most cases these actions operate as an exploitative form of employment used by employers to substitute normal employees and reduce their (labour) costs (Nteli, 2015). Despite important contributions however, there is still a significant gap in our knowledge regarding the extent to which vouchers and similar interventions have become an integral part of employers' strategies to achieve higher levels of flexibility in terms of wages, working-time and tasks.

This study is included into a wider discussion in academic literature regarding the extent that certain work-related practices lead to age discrimination against specific groups (older or younger people). Age discrimination is the process by which certain age groups are disadvantaged and treated differently solely on the grounds of their age (Roscigno et al., 2007: 314).

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Previous studies have demonstrated that young people often experience discriminatory treatment (least rewarding, most menial jobs, hard to get training) since employers assume that being young equates with being less experienced and therefore more vulnerable (Age Positive). Other studies (Rueda, 2006) have stressed that discrimination against young people emanates from the dichotomy between insiders-outsiders where labour markets function in favour of the former, whose high wages and benefits increase the entry-wage for the latter. Reducing the entry requirements (minimum wages) for young people and introducing labour market programmes for activating them are perceived as necessary interventions to eliminate age discrimination. In any case, according to this theory, by being placed either in the position of employees or in that of trainees, young people are expected to receive a differentiated wage in exchange for being granted with on-the-job training and workplace experience (Rosas and Rossignotti, 2005: 149).

At EU level, this approach was actively promoted in the early 2000s under the flexicurity discourse, according to which enhanced training and activation initiatives should be integral parts of social protection in a context where labour market mobility and transactions are accommodated by more flexible labour markets. Similar work-first programmes of a more coercive nature were implemented in the USA with the enactment of the Personal Responsibility and Work Opportunity Act under the Clinton administration (Kildal, 2001). Although the supporters of ALMPs recognise the effects of economic conditions (demand-side) and institutional settings on the impact of ALMPs, they often stress that these policies aim to help participants to gain a footing in the labour market, enhancing their prospects of securing a more permanent position and reduce their 'dependency' culture (Eichhorst and Rinne, 2018).

However, research has demonstrated that training –both continuous and traditional– through ALMPs is not capable of replacing the necessary occupational and educational pathways that are currently missing. For this reason, many trainees might equip themselves with better knowledge and skills, but remain

unable to find a sustainable and meaningful pathway to work. Studies have stressed the ways by which apprenticeships in vocational training programmes are used by employers as cheap labour involving menial work, limited scope for learning and poor employers' attitudes towards trainees (Cornford and Gunn, 1998; Fuller and Unwin, 2003). For instance, in a recent study on a Norwegian vocational training programme in the hotel industry, trainees experienced a significant gap between their expectations for meaningful learning and their lived experiences of inadequate guidance, limited professional development, lack of respect and substantial learning (Bakkevig et al., 2015: 477). Cornford and Gunn (1998) in their work on Australian cook apprentices reported that the employers' poor attitudes towards apprentices and the menial and boring work ascribed to them contributed to high dissatisfaction. The effects of the working conditions and pay on the decision of apprentices to stay in the hospitality industry have also been reported with scholars warning that the high exit rates of apprentices are linked with exploitative practices and bad experiences (Harris and Simons, 2005).

Despite rich evidence contained in most accounts, there are still gaps in our knowledge, especially in relation to the experiences of participants in short-term vocational training programmes like vouchers. Part of this gap is due to the use of large-scale surveys to investigate employers' attitudes and trace trainees' trajectories after the completion of training. But even studies that explore trainees' experiences have greatly relied on questionnaires and cross-sectional designs, leaving limited room for exploring the experiences and narratives of participants themselves. Because of that, there is lack of insights about the perceptions and feelings of trainees regarding the actual operation of the program, including the targets and interests served. A recent qualitative study on the experiences of participants in Work Programme initiatives in the UK showed that work-first programmes are heavily exploited by employers offering no real benefits and prospects to participants. This study demonstrated the merits of an in-depth qualitative approach for

understanding and reporting the actual experiences of participants and the internal working of activation programmes (Jordan, 2017). By carrying out such a task in the Greek vouchers programme, we aim to understand the actual lived experiences of trainees and address the question of how the environment in these workplaces affects their employment prospects, including the possibility of participating in the labour market in equal terms regardless of their age. We also aim to understand the ways that the crisis and the labour market reforms have affected learning environments, creating a rather negative climate for the development of inclusive learning environments.

9.4 Methods

This study utilises data from the training voucher programme ‘Entry into the labour market for unemployed young people up to 29 years of age in the tourism sector’ (co-funded by the ESF and the Ministry of Labour). Participants took part as trainees in classrooms (80 hours) and then in tourism-related companies (450 hours of traineeship) in a period of 5 months. The study was conducted from September 2016 until February 2017. Before recording and analysing the participants’ perceptions and attitudes, we collected documents regarding the training programme itself, in addition to evaluations and other primary materials. We also conducted a series of interviews with managers, active labour market experts and counsellors. We conducted an interview with the project manager (at the beginning of the programme), four interviews with career counsellors who provided theoretical training and guidance services to trainees and two with active labour market experts. Each interview lasted from forty minutes to one hour. We selected interviewees that had extensive experience in active labour market policies and were actively involved in the administration and execution of the Vouchers programme. We also conducted two group interviews with trainees during their theoretical training. Participants were members of the same seminar, so they knew each other and most of the time engaged in discussions about their experience with the programme among

themselves that facilitated the extraction of very valuable information. The duration of group interviews was two hours.

This collected material helped us to understand the specific problems/issues of the programme and to formulate relevant questions. We conducted 35 semi-structured face-to-face interviews with trainees who were selected randomly in the same geographical region. We conducted the interviews at the end of the training, so that participants could provide more concrete and wide views on how the programme worked and how they experienced the different stages of their training including the theoretical part and the on-the-job training. The interviews focused on the experiences of trainees with the programme covering a series of issues including the following: a) rationale behind the choice to participate in the programme, b) experience during the theoretical training, c) connection between theoretical training and on the job training, d) content of the on-the-job training, e) employers' attitudes towards training, and f) employment prospects after the completion of the training. We triangulated our data by using reports and studies that analysed the operation of other vouchers programmes that preceded the one we looked at. More specifically the authoritative study conducted by the INE-GSEE and commissioned by the EU on Greek active labour market policies was extensively used as a tool for testing the extent to which our data were reflecting broader tendencies and were not just an exemption. We used a thematic analysis to analyse our data using broad themes that emanated from our literature review, as well as from themes that emerged out of the data. We organised the presentation around four broader categories (themes) that reflect the most important aspects of the programme as these were expressed by the participants and developed in academic literature. We used the qualitative software programme Nvivo to analyse our data.

9.5 Findings

One of the questions we set out to investigate was whether the on-the-job training (placement) provided any meaningful learning and occupational skills to participants in the subject area that they chose to specialise. We define meaningful learning as that involving participation with others in work-based tasks, familiarisation with culture, technologies and practices as well as group-based problem-solving attempts through which skill formation takes places. Our evidence suggests that there was a large gap between theoretical training and on-the-job training with many of our respondents reporting lack of relevant training and therefore learning during their placements. One male participant that did his placement in a small hotel expressed that he was rather pessimistic when we asked him about his experience: “I added nothing to my skills while my employer was rather indifferent about the whole thing from the start until the end. I could not see any relevance between the theory we learnt in the vocational centre and the job I did”. Another male participant who did his placement in a travel agency was also disappointed about the conditions and attitudes he faced: “I did not really get any training in my specialty (tour representative). My boss had no intention to teach me anything relevant or useful to what my specialty was, while my everyday tasks were not linked to my choice. I caught myself sitting in a chair in front of a computer and having nothing to do. Other times, I was doing very irrelevant things to what I was supposed”.

There was also a widespread perception amongst private providers and managers that trainees were not very interested in their training and that acted as a barrier to obtaining any meaningful on-the-job training. The managing director of the programme was rather clear about this point when commenting on the skills basis of participants and their social skills: “Some trainees lacked very basic communication and social skills like developing a proper sentence or writing a CV or even bothering to ask about things they did not know. I think that they have developed a dependency culture that prevents them from developing and promoting a personal career plan”. We found

however that this would be an inaccurate interpretation of the actual workings of the programme and might be related to certain perceptions that employers and state officials hold due to the age profile of the participants. For instance, all four counsellors we interviewed agreed that trainees found themselves in a very disorganised environment where inspiration and motivation were lacking, since private providers pursued only their own profit-maximising objectives. In a similar vein, when explaining the distance between the occupational aspirations and choices of trainees and the actual tasks they performed, a counsellor pointed to the direction of employers whose attitudes worsen the uninspiring atmosphere that trainees faced in private vocational centres: “I would say that some companies did not live up to the expectations of the trainees, and in a sense, they broke the supposed deal. They wanted to pay nothing for employing people for two or three months without offering anything, not even some training, as they had agreed in the beginning”.

The expression of professional aspirations and career plans at the start of the programme was additional evidence according to which vouchers were seen by some participants as a credible occupational route leading to a permanent position. A significant minority of individuals was positive about the idea of learning new skills and being trained in cutting-edge occupations even if the duration of the programme was limited. The fact that this was much less articulated in later stages after trainees had completed their traineeship was clearly linked to the gap between their experiences and the initial expectations. One respondent explained how this process unfolded during the programme: “this anticipation (to be hired) was cultivated by my manager’s promise as well as by the fact that I got significant work experience. So, I did not do it only for the money and I thought that they would keep me because I was needed. But that did not happen at the end and I am still unemployed”. That caused trainees to feel trapped and express very pessimistic and cynical views about their future as the following quote by a female participant shows: “I realised that businesses are exploiting the free labour associated with vouchers quite a bit. It is that simple.

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Most of my colleagues in the hotel were like me, either through the voucher or other similar (vocational) programmes”. The experiences of trainees with on-the-job training led them to reach certain conclusions in relation to the likelihood of finding themselves in a proper job after the completion of the programme. One participant expressed the unequivocal feeling of uncertainty generated by the programme and the state of the Greek labour market in the following way: “That makes me feel sick. Thinking about the bleak prospects ahead and the possibility of not finding any job and income is terrifying. Young people like me are not valued by the labour market”.

The question that we asked all trainees to reflect on was about the actual content of what they did during their two-month placement. The answer we received from most of them was that employers placed trainees in the productive worker position, leaving very limited space and time for meaningful learning activities (familiarisation with culture and work-based tasks) to take place. One female respondent who did her placement in a call centre summarised it in the following way: “It was just like any other job, but they called it a voucher. No training whatsoever and nobody to even show you how things are done. Half a day of induction and off you go”. While the same one added in a frustrated manner: “The working conditions were awful. That was exploitation at its extreme. I had to do everything. I did not really get any training”. One respondent who was trained to become a barista doing her placement in a coffee shop stated: “The training provision was lacking, but that was not the only problem to be frank. My duties involved various tasks like mopping the floor and cleaning. There was nobody (inspector) there to check what we were doing, so I was working like a regular employee doing many different things that I was not supposed to do according to the initial agreement”.

Some of our participants said that during their placements they met many young people who were working there as part of their training in vocational training programmes (more conventional and lengthy vocational training programmes) in tourism related occupations. One participant explained the above

in the following way: “I saw many people working in this hotel from various tourism schools doing their training. Was it training? I would not say so. We were just doing a job in a very stressful and exploitative environment. This is what I got from my experience”. The emphasis that many trainees placed on the exploitative nature of vouchers demonstrates that for employers vouchers were subsidised short-term positions for young people that entailed little or even non on-the-job training and much scope for exploitation. The lack of intensive inspection mechanisms was one of the reasons why many violations took place during many placements.

The evaluation study conducted by the INE GSEE in 2017 reported findings from a previous voucher programme in tourism supports our findings. The study showed that employers in tourism were mainly motivated to use vouchers as a tool to exempt themselves from wage and non-wages costs (social contributions) and fulfil their needs for work (seasonal in the case of tourism business) when they mostly needed it. With the active intervention of the State, employers managed to exclude young people from regular employment, offering worse terms and conditions than the ones granted to regular employees. In one case during our interview this became very explicit when a participant spoke about the attitude of the employer in his last placement: “It is ridiculous. I did my voucher in my former employer. He would not hire me otherwise, so when I said, listen, you can employ me through a voucher, he just agreed. When the programme ended I had to go. Things are crazy right now; the labour market is like a jungle”. A very interesting story was recounted by another trainee whose experience signals significant traces of substitution: “I cannot see any prospect in this company. Actually, I saw many permanent employees leave since I came in”. Although this practice is not permitted according to the regulation of the programme, however, it seems that employers could replace temporary workers whose contracts expired with trainees. The GSEE study also shows that many businesses rely on vouchers to employ workers to such an extent that they completely avoid recruiting employees on a wage

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relationship using the established selection and recruitment methods, since they know that vouchers are being announced every few months. That clearly conveys the message that skills funding is used to subsidise low-skilled work rather than investing in skills and employers adjusting their practices to secure state subsidy. In that way, young people are mainly used as a disposable flexible workforce that enjoys less working rights and pay demands than regular employees. This constitutes a rather discriminatory practice with young people being accepted in the labour market only on the condition that their participation takes place under inferior conditions and without occupational and personal prospects.

This new landscape makes young people more vulnerable than their older counterparts, as they are the ones lacking prior experience with collective agreements and labour regulation and are more likely to accept more easily these changes as normal. For many of the trainees of our sample, a good job was equated with the one offering minimum standards of employment (no forced overwork, social contributions, payment on time). One participant explained: “In this climate it’s a luxury to ask for a decent wage, so receiving the minimum wage and having the overtime work paid are elements of a good job”. Factors such as interest in the job, relevance to one’s studies and rates of payment and benefits seem to lose significance for participants as they have accepted basic features of the current environment. When we asked another participant what the ideal job would be for him, he used a phrase repeated by many of his peers: “I don’t have any preference. Whatever works. We are not in a position to choose”.

The destruction of expectations was also an interesting process that unfolded in many trainees’ narratives. Participants saw many employees working longer hours without getting extra pay, while companies even tried to force this practice upon their trainees by rewarding such an attitude. One participant explained how his employer reinforced a specific image of the right employee: “We were ten people doing this placement. There was this woman, who during the placement, was working more hours than we were legally allowed to work. She was the only one hired

at the end". These narratives confirm the findings of a quantitative study, according to which most participants in vouchers (six months after the completion of the programme) would accept a position of employment that was short of being considered as a good job. It's worth mentioning here that the average wage of people after the completion of vouchers was 450 Euros per month, while 43% were forced to do overtime and only half of those hours were paid.

9.6 Discussion

The article addressed the question of whether vouchers act as a stepping stone to labour market transition, or if they are just used by employers for self-interest purposes such as securing cheap labour. Our initial assumption was that employers not only avoid offering meaningful training, but also take advantage of the vouchers, using them as a very flexible form of work that satisfies their needs for (labour) cost-reduction and flexibility. It seems that vouchers were just one of the means, along with others (more conventional vocational training programmes), that employers were utilising to secure free labour subsidised by the State. The observed lack of links between the theoretical training received in training centres and the actual traineeship was the outcome of this attitude adopted and expressed by most employers. Our participants could grasp this attitude, as evidenced in their narratives, although in many cases employers did not want to make their behaviours (not hiring after the completion of the programme) explicit in fear of demotivating and demoralising their trainees. Employers were not reluctant to take advantage and even violate aspects of the programme, adopting practices and strategies that resembled a very exploitative workplace regime. That even surprised the counsellors of the programme, many of whom expressed rather negative views about the attitudes of employers and their apparent lack of commitment. In line with the findings of a previous research on the Norwegian hotel industry (Bakkevig et al., 2015), our study illustrated that trainees were treated as regular employees (and not as learners), and that enabled employers to exempt themselves from

contractual duties and associated costs, originating from the standard employment relationship. So, instead of helping young people to enhance their skills through training, this programme increased the feelings of isolation and desperation of young people. Respondents reported the growing anxiety and disillusionment when they realised that older employees were fired, and businesses had no desire to employ them after the completion of the voucher. In addition to that and most crucially, young people experienced these attitudes because of their age and the assumption that because of lack of working experience they should tolerate exploitative practices more easily than others.

Therefore, skills and training provide no real advantage to employees as the mainstream theory assumed, especially in times when the labour market is dominated by low-paid jobs and dismantling of employment protection (Keep and Mayhew, 1998). In light of the Greek labour market reforms, such as easing of dismissals and the promotion of flexible work, the use of vouchers as a substitute for standard employment relationships was rather expected and in fact facilitated in Greece. The individualisation of the employment relationship achieved through ALMPs (McQuaid and Lindsay, 2012) was also confirmed by our study in that trainees were not covered by collective agreements or employment laws since they were not given employee status, although they were working like regular employees as we already argued. In theorising vouchers as another form of contingent and free form of work, we managed to recapture the active role of the State in promoting business interests by implementing training programmes whose logic, operation and outcomes are akin to the established low-wage and temporary work regime constructed and established by labour market reforms.

The human capital theory and employability discourses widely used to justify initiatives such as vouchers have therefore failed to pass the test of our case study since no real advancement or equality was observed for those that took on training. In addition to that, the operation of the Greek labour market challenges the assumption that training can be a stepping stone to

acquiring quality employment, since there are no significant structural changes occurring and most jobs are at the lowest end of the labour market. The dismantling of the collective agreements and labour laws are primary reasons that explain this phenomenon with employers feeling rather liberated from the 'barriers' that the previous employment regime was setting on them. In addition to that, the new institutional regime is built on the assumption that being young means less experience and thus productivity and for that reason lower wages and rights can be legitimised. Our study demonstrated that trainees performed their work tasks successfully, while learning and training provision was very limited, and, in that sense, their wages and rights were rather low. So, the argument that sub-wages are the price paid for training provision was not supported by our findings, with most trainees reporting lack of any meaningful on-the-job training provision.

The contribution of our work is to demonstrate that vouchers not only fail to help young people, but constitute an active process of institutionalising discriminatory practices through the introduction of inferior employment terms and wages for specific age categories (young people). We claim that this process of 'institutionalised discrimination' was preceded by labour market reforms that cheapen the labour power of young people, introducing the idea that being young is equal to getting paid less. The dominant political discourse legitimised this age discrimination by reference to the employment growth expected after the reduction of wages for young people and the flexibilisation of the labour market. However, questions about the quality of jobs and the intensification of exploitative practices deployed by employers are starting to appear less often in the Greek public discourse.

Although this chapter did not include questions about gender and nationality, it is worth mentioning that multiple discrimination is a widespread feature of the current predicaments that many young people face. For instance, young women are still experiencing significant labour market disadvantages, including higher unemployment and flexible

work, while other social welfare deficiencies, such as limited child care provision, put more pressure on them (Livanos et al., 2009). In a sector with very unsocial and long-working hours like tourism, the lack of child care provision can create significant problems in the social and family life of a young woman. In addition to that, evidence suggests that women are still paid less than their male counterparts, while instances of dismissals or no recruitment because of pregnancy have also been reported. Nationality is another feature that needs to be more carefully studied, as being young and a non-Greek national can significantly affect the way you are perceived in the Greek labour market as studies have shown (Iosifides, 2007).

9.7 Conclusions

Social policy and training initiatives are not only subordinated to these goals of competitiveness and labour flexibility as previous accounts (Peck, 2001; Greer and Symon, 2014) envisage, but they act as a state-funded form of ‘extreme’ flexibility, the whole financing of which is undertaken by the State and EU bodies. Although activation has attracted enough attention over the years with significant contributions regarding its content and effects on participants in different countries, there has been apparent lack of reporting the voices of those who participate in these programmes. This article filled this gap by adopting a qualitative method analysis that explored the remit of vouchers through in-depth individual and group interviews with participants, managers and counsellors of these programmes. By doing that, we offered a more empirically grounded account of how participants experience discrimination and exclusion during their participation in a training programme that promises to provide some training and employment prospects.

The findings of this study suggest that research on training provision is valuable for understanding the direction of change in contemporary employment systems in countries undergoing paramount changes, like Greece. However, the research agenda needs to focus more closely on questions that transcend the technocratic and somehow empiricist tone of ‘effectiveness

measurement studies' and examine the age discrimination that young unemployed people face when trying to secure some income and find a job. The interconnections of (high youth) unemployment and ready supply of contingent labour with training vouchers (and labour market reforms) and employers' strategies to reduce their costs need to be recaptured within a critical political economy perspective. The latter can help us to unravel and comprehend the structural and dynamic features of the capitalist system that define the employers' attitudes, the trainee's experiences and the State's selected policies.

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Chapter 10

Developing digital skills as a means to combat exclusion

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10.1 Abstract

In today's society everyone needs to have a wide set of skills, knowledge and competences, including a sufficient level of digital competence, in order to play an active part in society, to access and progress in the labour market, and to engage in further education and training in a lifelong learning perspective. Nevertheless, almost half of the European population still lacks basic digital skills, thus facing a severe risk of becoming excluded from the society, because the latter becomes increasingly digitised. This chapter surveys the European initiatives to promote the acquisition of digital skills and presents three European projects as case studies of activities addressed to different target groups.

10.2 Introduction

Around a quarter of the European adult population struggles with reading and writing and has poor numeracy and digital skills. According to the results of the EU-wide Digital Economy and Society Index (DESI) indicator, in 2017¹, the Human Capital dimension shows that while internet usage is on rise, 44% of Europeans still lack basic digital skills and 14% have never used the Internet!

Adults who do not possess a sufficient level of digital skills face a high risk of social exclusion, which can appear in different forms, for example:

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¹ <https://ec.europa.eu/digital-single-market/en/news/digital-economy-and-society-index-desi-2017>

- Exclusion from public or private services that are offered online; this may have severe consequences, for example, in the case of social, healthcare, (un)employment and other services
- Exclusion from employment or a satisfying career; this may lead to under-exploitation of one's competences, an unsatisfying life and even poverty
- Exclusion from social life; this may lead to solitude, depression and marginalisation

Unfortunately, there is a high probability that a low degree of digital skills will lead all these forms of exclusion to appear simultaneously. Because they refer to interdependent sectors of society (i.e. unemployment leads to a low level of healthcare services and reduced pension, an unsatisfying career leads to a reduced social life etc.), a person's life can be rendered unbearable and this person can be easily marginalised. Therefore, unless measures are taken, a "technological underclass" could appear. Such a social divide transcends the digital natives / digital immigrants divide (Prensky, 2001) and, according to the rotating door model, could become perpetually self-sustainable.

People belonging to this group would all suffer from "digital skills poverty", because they will be lacking the ability to possess and manage digital information capital. Then, the lack of digital skills leads to reduced social potential, which could lead to the negation of rights and opportunities offered by society. Moreover, it will be hard for such people to reverse the situation and generate digital information capital, because the lack of digital skills restricts them to the role information consumers who don't have the ability to produce digital information; thus, they cannot join the wave of prosumers that characterises our modern society (Toffler, 1980).

But even in the role of digital information consumers, those with a low level of digital skills are at risk. In an increasingly digitised society, information is increasingly spread through digital / online media. Lack of digital skills could cause a form of digital disability; people suffering from it are unable to access,

evaluate or use online information. As a consequence, they are vulnerable to distracting or misleading campaigns, fake news, cyber-bullying, breach of personal privacy etc. Vulnerable people, unless protected by society, tend to be marginalised, becoming trapped in a vicious circle!

This chapter will present some of the initiatives taken at European level to increase the level of digital competence of the European population, in an attempt to fight the aforementioned risks of exclusion, together with a few concrete actions. Project BRIGHTS trains teachers/trainers and students in developing digital stories to express their opinion and feelings, thus becoming active global citizens of an inclusive society who are able to deal with discrimination and exclusion. Project Mu.SA trains museum professionals in digital skills, thus enabling them not to be excluded from a professional sector that becomes increasingly affected by digital technologies. Project DCDS promotes a European certification system of digital skills that is based on DigComp, the well document digital skills framework. These projects showcase aspects of how the development of digital skills could lead to a more inclusive society. Many more similar approaches exist all over Europe and at an international level. Until now, these efforts are visible at regional or national levels. A coordinated effort is required to produce frameworks that can be applied at European level.

10.3 Initiatives at European level

Supporting the acquisition of digital skills has become one of the European Commission's priorities. The Commission adopted in January 2018 a **Digital Education Action Plan**² which includes 11 initiatives to support technology use and digital competence development in education. Alongside the action plan, a **Staff Working Document**³ was adopted which goes into

² <https://ec.europa.eu/education/sites/education/files/digital-education-action-plan.pdf>

³ <https://ec.europa.eu/education/sites/education/files/swd-digital-education-action-plan.pdf>

more detail on the Commission's approach to digital education. The development of digital competences and skills is listed as one of the action plan's three priorities, together with measures to help EU Member States meet the challenges and opportunities of education in the digital age.

A recommendation to update the 2006 framework on key competences was adopted the same day as the Digital Education Action Plan. The definition of digital competences has been extended and updated in 2018⁴ to reflect the changing nature of digital technology in working life and society more broadly, as follows:

“Digital competence involves the confident, critical and responsible use of, and engagement with, digital technologies for learning, at work, and for participation in society. It includes information and data literacy, communication and collaboration, digital content creation (including programming), safety (including digital well-being and competences related to cybersecurity), and problem solving”.

The new definition also aligns with **DigComp, the Digital Competence Framework for Citizens**⁵. DigComp offers a tool to self-evaluate and to improve citizens' digital competence through training. It groups 21 essential digital competences in 5 areas; for each competence, 8 professional levels are described. The 5 areas are: Information and data literacy, Communication and collaboration, Digital content creation, Safety, and Problem solving.

The **New Skills Agenda for Europe**⁶ is a key policy priority for the European Union, adopted on 10 June 2016. It includes 10 proposed actions to be taken in the next two years by Member States to raise the level of adults' basic skills. In this framework,

⁴ <http://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:52018DC0024&rid=2>

⁵ <https://ec.europa.eu/jrc/en/digcomp>

⁶ <https://ec.europa.eu/transparency/regdoc/rep/1/2016/EN/1-2016-381-EN-F1-1.PDF>

the **Upskilling Pathways**⁷ initiative was adopted by the Council on 19 December 2016 to help adults acquire a minimum level of literacy, numeracy and digital skills and then progress towards an upper or lower secondary qualification. The recommendations for the Upskilling Pathways identify “skill assessment”, “learning offer” and “validation and recognition” as the three key steps necessary for the implementation of the initiative, in order to boost access to, and take up of, quality learning opportunities by adults with low levels of skills in European Member States. In addition, access to lifelong learning opportunities by low-qualified adults should be widely encouraged and inclusive participation is key to the success of upskilling measures. Upskilling Pathways is also a key building block of the **European Pillar of Social Rights**⁸, which promotes equal rights to quality and inclusive education, training and life-long learning in order to support fair and well-functioning labour markets and welfare systems. The **ET2020 working group on Digital Skills and Competences**⁹ looks at the development of digital skills and competences at all levels and stages of learning and the potential and challenges of digital technology use in education.

A recent initiative is the **Digital Opportunity traineeship**¹⁰, which will provide cross-border traineeships for up to 6,000 students and recent graduates between 2018 and 2020. The aim is to give students of all disciplines the opportunity to get hands on digital experience in fields demanded by the market. The Digital Opportunity trainees will strengthen ICT specific skills, in fields like cybersecurity, big data, quantum technology and machine learning or boost digital skills for business in areas like web design, digital marketing, and software development.

⁷ http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ:JOC_2016_484_R_0001

⁸ <http://ec.europa.eu/social/main.jsp?langId=en&catId=1226>

⁹ https://ec.europa.eu/education/policy/strategic-framework/expert-groups/digital-skills-competences_en

¹⁰ <https://ec.europa.eu/digital-single-market/en/digital-opportunity-traineeships-boosting-digital-skills-job>

10.4 Supporting Global Citizenship Education with Digital Storytelling: project BRIGHTS

The purpose of the BRIGHTS project¹¹ is to promote Global Citizenship Education (GCE) in formal and non-formal Educational contexts in Europe, with the help of digital storytelling (DS) techniques.

GCE employs concepts, methodologies and theories already implemented in different fields and subjects, including human rights education, peace education, education to achieve sustainable development and education for intercultural understanding. Addressing subjects through GCE can contribute to promote social inclusion, democratic values and fundamental rights awareness by giving young people opportunities to challenge the injustice of racism, value cultural diversity and develop positive attitudes and behaviours towards people who are different from them.^{12,13,14,15,16,17,18}

DS is a powerful and effective learning tool in stimulating creativity, digital literacy and critical thinking. The act of publishing one's story, trying to influence peers to do the same and not to remain silent about the issues of radicalisation and social exclusion will become an important factor in this process. Learners will be transformed to empowered actors who choose to put their stories out in order to raise awareness and help others. Through the production of digital stories, students will be empowered to combat radicalisation and social exclusion and develop social, civic, and intercultural competences as well as

¹¹ <http://www.brights-project.eu/en/>

¹² <https://rm.coe.int/16803034e5>

¹³ http://ec.europa.eu/dgs/education_culture/repository/education/news/2015/documents/citizenship-education-declaration_en.pdf

¹⁴ <http://eacea.ec.europa.eu/education/eurydice>

¹⁵ <http://unesdoc.unesco.org/images/0023/002329/232993e.pdf>

¹⁶ <http://unesdoc.unesco.org/images/0022/002277/227729e.pdf>

¹⁷ <https://en.unesco.org/education2030-sdg4>

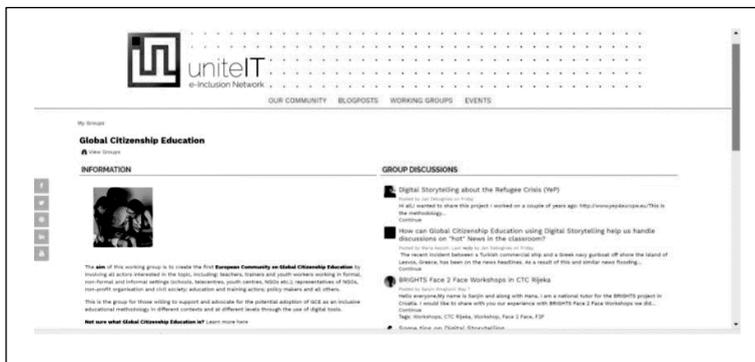
¹⁸ <https://www.oxfam.org.uk/education/who-we-are/global-citizenship-guides>

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critical thinking, media literacy, creativity and digital skills (Robin, 2008; Lambert, 2013).

The project addresses directly teachers and trainers and indirectly young students in formal and non-formal educational settings. Regarding the former, it aims to develop their professional capacity to understand and apply DS with young people, especially for supporting GCE. For the latter, through the production of digital stories on Global Citizenship, it aims at empowering them in developing social, civic and intercultural competences as well as critical thinking, media literacy, creativity, digital skills and 21st century skills. In the longer term, BRIGHTS aims at establishing a European community of educators/trainers, policy makers and other stakeholders on GCE able to sustain project results and amplify their impact (Figure 10.1)¹⁹.

Figure 10.1: Home page of the GCE community on the UNITE-IT platform



¹⁹ <http://www.unite-it.eu>

10.4.1. The BRIGHTS training course

To achieve the above, the project has realised a blended training course, which includes a MOOC and face-to-face workshops. The course titled “Addressing Global Citizenship Education through Digital Storytelling” lasts 30 hours and requires participants to attend a MOOC (20 hours) and face-to-face training sessions (10 hours) (Figure 10.2). Then supervised workplace learning takes place, during which course participants are asked to apply the knowledge and competences they acquired by supporting young people in the production of digital stories on global citizenship.

The MOOC is divided into four modules, each lasting 5 hours²⁰. Each module has been designed to cover specific learning outcomes and contains a set of learning activities (individual or cooperative) that are supported by specific training contents consisting of video, readings, PPT and multiple-choice questions (Figure 10.3). Firstly, the purpose, aims and objectives of the module are stated, followed by keywords and learning outcomes.

Videos are essential components in the MOOC because they support critical components of learning, like developing critical thinking skills, applying knowledge and fostering deep understanding. In order to maximise the trainee’s engagement, the videos are broken down into segments of short duration.

Figure 10.2: The welcome screen of the BRIGHTS MOOC



²⁰ <https://mooc.cti.gr>

Figure 10.3: Sample MOOC training content

Each module ends with a test to assess the course participants' knowledge. The results are collected by tutors and allow them to work in depth on certain topics in order to recommend further online learning material. A final test is provided during the last week to ascertain the knowledge acquired by the course participants. To those who successfully complete the MOOC, a certificate of attendance is awarded.

The MOOC contains the following four modules (we decided to use catchy titles) –for each module, its learning outcomes are also listed (keywords appear in boldface):

1. **All you wanted to know about GCE (and never dared to ask)**
 - Identify diverse understandings of the **concept of global citizenship**
 - Examine the **different goals within GCE**
 - Explain how they are interrelated through different **frameworks**
 - Compare the **GCE practices** in EU countries
 - Critically analyse the importance of **GCE in the global education and societal context**
2. **50 shades of GCE (with digital stories...)**
 - Identify the main definition of **formal, non-formal education** system
 - Recognise the applicability of **different learning methods to formal and non-formal education** settings
 - Interpret own **local and national situation in the context of GCE goals**

- Analyse **current global issues** within the framework of the major GCE goals
 - Briefly describe the background, **history, features and steps of Digital Storytelling**
 - Explore the potential of Digital **Storytelling** as a **method to cope with GCE**
3. **BRIGHTS side story**
- Recognise what is and what is not a **digital story**
 - Name the different steps of the **story circle methodology**
 - Apply the story circle methodology in formal and non-formal education
 - Create a safe environment for **group discussions**
 - Familiarise with the tools that introduce the **GCE topics**
 - Translate (convert/transmit) the topics of GCE into the **students' personal narrative**
 - Recognise the **21st century skills**
 - **Empower** the use of **21st skills** among the **students**
4. **Do the BRIGHTS thing**
- Create a **storyboard** of your story on a GCE topic
 - **Create** relevant **materials for your digital story** (images, voice, music, sounds, texts, titles)
 - **Collect** relevant **materials for your digital story** (images, voice, music, sounds, texts, titles) through different media
 - Recognise the **free license** material on the web
 - Actively participate in an **online learning community**

The BRIGHTS project tackles the following challenges:

- promoting democratic values and fundamental rights, social inclusion and non-discrimination, as well as active citizenship among young people, so that they acquire social, civic and intercultural competences,

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- enhancing critical thinking and media literacy, particularly in the use of the Internet and social media, so as to develop resistance to discrimination and indoctrination,
- empowering teachers and trainers to educate young people in media literacy, to impart common fundamental values and to prevent and combat racism and intolerance,
- promoting intercultural dialogue through all forms of learning in cooperation with other relevant policies and stakeholders.

As of today, more than 450 teachers and trainers have successfully completed the MOOC (out of 1,100 who initially registered). About 100 of them have attended face-to-face training and have applied the acquired methodology with young people at risk of marginalisation in disadvantaged areas and institutions of the 4 project countries (Belgium, Croatia, Greece, and Italy). More than 1,000 young people (13-19 years old) have been directly engaged in the production of more than 300 digital stories on global challenges and subjects including human rights, peace and democratic values, intercultural dialogue, active citizenship etc.

10.5 Developing the IT skills of museum professionals: project MuSA

Current and new museum professionals need to acquire IT skills and new attitudes. Although museum professionals usually hold a university degree, there is need of continuous training and its evaluation will play an important role in the development of the museums work (Dreyer and Wiese, 2006). Studies highlight the importance of acquiring both highly professional training and specialisation hoping that university diplomas will be assessed and enhanced, and that possibilities for continuous training can be created (Ruge, 2008).

Project Mu.SA (Museum Sector Alliance)²¹ aims to address the increasing disconnection between formal education and training and the world of work because of the emergence of new job roles due to the quickening pace of the adoption of IT in the museum sector. Mu.SA addresses directly the shortage of digital and 21st century skills in the museum sector and supports the continuous professional development of museum professionals. Mu.SA will improve the quality and composition of competences that qualified museum professionals currently have, changing the employability characteristics of the museum sector and affecting the overall quality of experience offered to museum communities. The project brings into light the emerging job profiles in the museum sector and at the same time proves the efficiency of inclusive and versatile novel VET methodologies and tools.

The project has firstly mapped existing and identified emerging skill needs of museum professionals, which have led to the design of four new job role outlines. Then it has designed VET curricula tailored to the requirements of these profiles. Based on these curricula, four training courses have been developed that comprise a common MOOC, job role specific specialisation courses and work-based learning, thus strengthening the collaboration between VET providers and culture labour market.

Training provision has been adapted to the needs of museum professionals (curators, managers, archaeologists, historians, developers, social media managers, museum educators etc.), while it is based on several EC standards. eCF and DigComp have been used as sources of digital competences for the IT professional and non-professional, respectively. P21 is the framework of 21st century (21cc, or transferrable) skills. EQAVET has been used to ensure quality of training provision and the application of ECVET ensures mobility of professionals and recognition of qualifications at European level.

²¹ <http://www.project-musa.eu/>

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Project target groups include museum professionals, either unemployed or employed in state or private, large or small, central or peripheral museums, sectoral organisations and museum associations, VET providers and the general public, because they will receive increased quality of services and user experience at museums.

10.5.1 The new job roles

Two mapping exercises were implemented at the beginning of the project. The first one analysed professional needs in the museum sector, by distributing questionnaires and conducting interviews with museum professionals of international reputation and policy makers. The outcome was a set of requirements for professional development, which were subsequently mapped to the eCF, DigComp and P21 frameworks. The results of mapping were four new IT-intensive job role profiles for museum professionals:

1. **Digital Strategy Manager:** supports a museum's technological and digital innovation, has a good knowledge of how a museum works and provides them with updated information about digital products, and plays a mediating role between the internal museum departments and external stakeholders.
2. **Digital Collections Curator:** improves the museum's digital preservation, management and exploitation plan for all digital or digitised cultural contents, develops online and offline exhibitions and content, produces metadata according to recognised international standards, and provides information on copyright and protection of digital cultural property according to international standards.
3. **Digital Interactive Experience Developer:** carries out audience research and observation analysis, designs and develops interactive and innovative installations providing meaningful experiences for all types of audiences, develops accessibility tools, and facilitates communication

flow between museum teams and external technology companies.

4. **Online Community Manager:** designs and implements an online audience development plan in line with the museum's overall strategic communication plan, liaises effectively with other departments in order to produce content and meaningful online experiences, engages with, monitors and manages online audiences, and assesses and evaluates the effectiveness and efficiency of online activities.

The findings of the research are published in three reports: "The Museum of the Future: insights and reflections from 10 international museums", "Museum Professionals in the Digital Era: agents of change and innovation" and "Emerging Job Roles for Museum Professionals".

10.5.2 The Mu.SA training course

Based on these findings, training outlines were developed for the emerging job role profiles. For each competence therein, learning outcomes (knowledge and skills) have been detailed. Then, modular VET curricula have been composed using different sets of competences. This approach enables the dynamic composition of VET curricula to meet emerging professional needs and market requirements.

To develop and deliver the training, a staged methodology has been applied, consisting of the design of learning outcomes, the design and development of the training content modules (learning objects), the instructional design (including assessment) and the delivery of the training (including the production of the training courses). A three-stage training has been designed, consisting of a common MOOC, specialisation courses and work-based learning.

The MOOC lasts 8 weeks and provides trainees with the basic competences that are common to all four job roles (Figure 10.4). Exactly because these competences form the basis of the emerging job roles, we opted for the most open and public training instrument, a MOOC, which can be made available to an

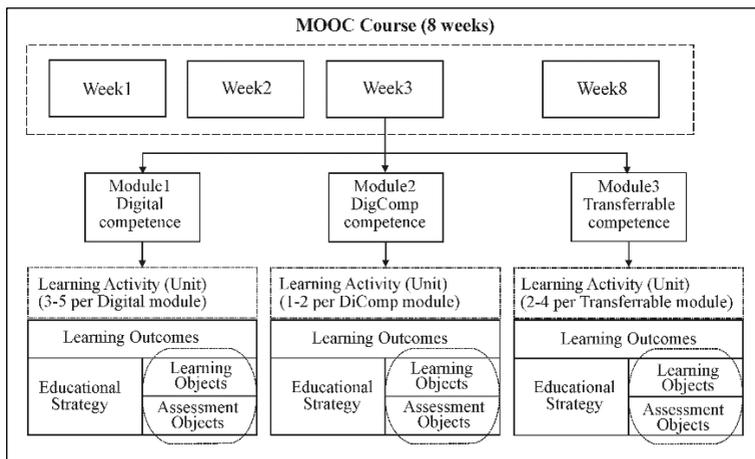
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unlimited number of trainees, ensuring that all who are really interested in improving their competences can do so without restrictions. In addition, the MOOC ensures sustainability of project results, because it will be maintained and delivered with small effort after the end of the project, while at the same time, it contributes to community building.

Those who successfully complete the first training stage become eligible for participating to the second and third training stages. The second stage contains one separate Specialisation Course per profile. Each course is modular and enables participants to develop IT competences that are closely related to the specific job role profile. It also supports the specialisation of some of the common competences acquired with attending the MOOC.

Finally, a workplace training stage has been included. This contains the application of the newly acquired skills and competences in a real museum environment, under the supervision of tutors and museum experts.

Figure 10.4: Structure of the Mu.SA MOOC



The delivery of training is supported in all stages by tutors and takes place via an online peer learning platform. Handbooks have been developed to guide the tutors and trainees through the training process.

The contents of the MOOC titled “**Essential digital skills for museum professionals**” are as follows (note that each week the training is centred on one eCF competence that is supplemented by related DigComp and 21cc competences):

Week1: IS and business strategy alignment (e-CF)

- Browsing, searching and filtering data, information and digital content (DigComp)
- Managing data, information and digital content (DigComp)

Week2: Business Plan Development (e-CF)

- Evaluating data, information and digital content (DigComp)
- Identifying needs and technological responses (DigComp)

Week3: Technology trend monitoring (e-CF)

- Netiquette (DigComp)
- Team working (21cc)

Week4: Innovating (e-CF)

- Innovating and creatively using technology (DigComp)
- Creative thinking skills (21cc)

Week5: Needs identification (e-CF)

- Developing digital content (DigComp)
- Collaborating through digital technologies (DigComp)

Week6: Forecast development (e-CF)

- Leadership and change facilitator (21cc)

Week7: Relationship management (e-CF)

- Protecting personal data and privacy (DigComp)

Week8: ICT quality management (e-CF)

- W8.2: Communication skills (21cc)
- W8.3: Time management (21cc)

The project focuses on the development of digital and transferrable competences so that (working and unemployed) museum professionals can improve their chances of being

included in the digitally transformed labour market of tomorrow. Until now, more than 2,000 candidates have registered in the MOOC (open to everyone). At least 10% are expected to successfully complete it and enrol in the specialised training courses. They will improve their digital and transferrable competences, gain work experience, update their e-skills, keep up with new and ongoing developments and improve conditions for innovation, growth and creativity, at the same time increasing employability and career prospects, gaining an international perspective of the sector and exchanging experiences with peers via the online platform. By collaborating with all sectoral stakeholders, the project increases the efficiency and inclusiveness of VET providers and the outreach and sustainability of museums.

10.6 Designing a digital skills development and certification scheme for low-skilled adults: project DCDS

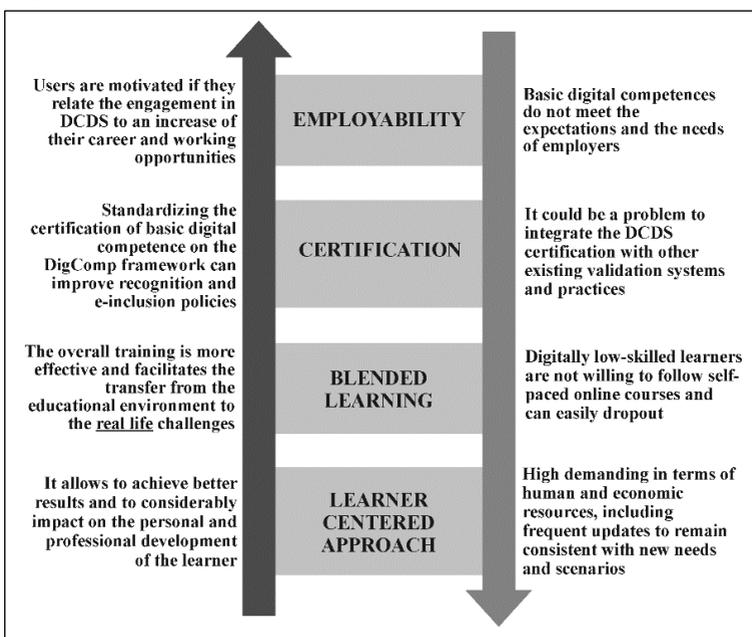
Project DCDS (Digital Competences Development System)²² aims to assist low-skilled adults in developing and enhancing basic digital skills, in order to provide this population with a set of key digital competences needed for employment, personal development, social inclusion and active citizenship.

The project empowers citizens, training providers and policy makers to address in synergy one of the key challenges that Europe is currently facing, namely the lack of basic digital skills, by supporting assessment of adult citizens' learning needs, valorisation of their existing skills, and design and delivery of inviting training opportunities adapted to individual learning needs and the existing skills already identified. During a focus group with digital skills experts that was organised in Greece in the context of the project, most of the participants agreed that the basic digital competences are important for the social inclusion of adult citizens, as their existence facilitates their participation to the community and exploitation of digital services.

²² <http://www.dcds-project.eu/>

On the other hand, the participants of a focus group with low-skilled adults stated that, although they use digital technologies for finding information, recreation and serving their daily needs, they would like to improve their digital competences mostly to serve their daily and professional needs. The participants felt that they are consumed by digital technology, instead of them using it. Moreover, they are afraid of their personal data being misused because they consider digital technologies as non-credible.

Figure 10.5: Pros and cons of a comprehensive certification in digital skills



Thus, although digital transformation has helped a lot people who were already familiar with technology, it has also created serious problems to people who are not (Figure 10.5). Digital transformation and structural adjustment has severely affected the NEETs and the unemployed, as well as the residents of rural areas (e.g. small villages) and islands. Recent data indicate that

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more than 65% of NEETs or young people, among those who were following apprenticeship programs, in order to develop their digital competences, found a job. This finding justifies the significance of acquiring digital competences nowadays. However, it was mentioned that every attempt to “bridge the digital divide” should not be accomplished once, but should be repeated frequently on a regular basis, as digital skills require continuous updating and practical implementation. The establishment of a national strategy (including a “set of rules” for training, accreditation, etc) that would create a common ground is required.

The project is developing an innovative multilingual Digital Competences Development System, which can be used by VET providers to provide non-formal training to low-skilled adults in different European countries. DCDS consists of:

- A methodology for the development of digital competences and related transversal competences of adults.
- An online environment that implements the methodology with the following modules:
 - Self-assessment tool for basic digital competences;
 - Recommender module to enable trainees to identify the training offers that best match their needs;
 - Online repository of trainees’ profiles to maintain data about the trainees;
 - Learning application with gamification features (personalised training adapted to individual learning needs and existing skills); and
 - Validation and certification of digital competences.
- Flexible and modular blended course with face-to-face support sessions by trainers (e-facilitators) in using the online environment.
- Handbooks for implementing the methodology (for the trainers and for the training providers – telecentres).

The self-assessment tool for digital skills enables users to identify their existing digital skills and the related upskilling training paths, based on a profiling approach that takes into consideration age, life goals (career, citizenship, e-inclusion, etc.) and specific learning needs. Based on the outcome of self-assessment, a learning course is proposed to the learner, adapted to his/her individual learning needs, which combines an online application with gamification features and face-to-face support by trainers (e-facilitators) in using the online environment. Trainees are offered the opportunity to have their acquired skills validated, certified and, in the long-term, possibly recognised by competent authorities. Given that most employers acknowledge the value of certification, participants would like to receive a certificate at the end of training, to use it for professional purposes.

Key stakeholders of project outcomes range from policy makers, education and employment authorities at national, regional and local levels to public and private training institutions and the third sector bodies, which provide education and training opportunities in the non-formal educational Sector.

DCDS is based on the DigComp 2.1 framework and adopts a modular approach in order to compose training paths out of the DigComp competences that are adapted to the individual needs of each trainee. To achieve this, the following methodology has been used:

- For each DigComp competence, a set of learning outcomes has been produced (for the 21 DigComp competences, 100 learning outcomes have been produced in total).
- Within the same competence, learning outcomes that are related from an instructional point of view, have been grouped into Units. These constitute the building blocks of training courses. For each Unit, an instructional plan has been devised, learning objects have been developed and a teaching handbook has been created.

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- Based on the training needs, Units can be composed to form Training Paths. These are basic courses on different aspects of digital competences.

In addition to flexibility in training path composition, this approach produces a training system that is open in terms of adding new content and training tools and offers.

Assuming that adult European citizens should have the chance to acquire basic digital skills for free, the systemic impact of the project will allow:

- To ensure that ICTs are used systematically to enhance the quality and accessibility of adult learning. The DCDS output will stimulate educational providers to use ICT and open educational resources (OER) in their trainings and support the production of high quality digital learning resources.
- To stimulate innovation by sharing good practices in the use of ICTs and OERs in adult learning and support the constitution of European networks and communities of practice for adult learning providers and educators. The project data collection and research on the outcomes of ICT use in adult learning will help to disseminate results.

The DCDS will also contribute in developing the ability of adult educators to analyse complex educational environments and to provide adequate responses to unsuspected key training needs, thus increasing the effectiveness and creativeness of training practices.

10.7 Epilogue

In this chapter we argued that the lack of digital skills can cause various forms of exclusion, which in turn can lead to the marginalisation of the individual. There is evidence that almost half of the European population lacks digital skills, while in the coming years, almost every job will acquire a digital component.

To deal with the apparent and hidden risks that arise for European societies, some important policies and initiatives have been put in place at European level, with ample funding. On one hand, most of these are targeted to the young, who already possess basic digital skills. On the other hand, access to these initiatives requires the ability to use online media, thus a large part of the targeted population remains excluded from benefiting from them. In any case it is too early to judge the aggregate outcome of these initiatives because their results will mostly affect the next generation of Europeans.

Therefore, with an eye in the future, we presented three projects that are being implemented by consortia of organisations coming from European countries. These projects aim to improve the digital competences of their diverse beneficiaries to achieve a multitude of goals:

- Project BRIGHTS is targeted to educators and trainers of young people, aiming to enable them to create digital stories on issues of global citizenship; long term goals include fighting social exclusion and improving media literacy.
- Project Mu.SA addresses the professional development of current and would-be museum professionals to cope with the requirements posed by the widespread adoption of IT in the museum sector; long term goals include career sustainability and better digital services offered to the public.
- Project DCDS aims to provide a European framework for the acquisition and certification of basic digital skills; long term goals include recognition of certificates and increased mobility.

Clearly, more efforts have to be put in place, because the issue is multi-faceted and multi-dimensional. All policies and decisions have to be based on data, therefore, a reliable framework for collecting data regarding digital skills is necessary. Moreover, a need for regulation and standardisation becomes apparent, as policies and frameworks that are being

implemented at regional or national levels have restricted impact. An example to this end is the **DigComp into Action guide**²³, which supports stakeholders in the implementation of DigComp through sharing of 38 existing inspiring practices of DigComp implementations that are illustrated by 50 content items consisting of Case studies and Tools. More activities of this type are required.

In anticipation of the above we must keep in mind that the digital transformation of society can be achieved in an effective and inclusive way only if each and every individual member of society becomes digitally dextrous.

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²³ <https://ec.europa.eu/jrc/en/publication/eur-scientific-and-technical-research-reports/digcomp-action-get-inspired-make-it-happen-user-guide-european-digital-competence-framework>

