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|  | **ITALY** | | | **GREAT BRITAIN** | | |
| **S**  **H**  **O**  **R**  **T**  **C**  **O**  **M**  **I**  **N**  **G**  **S** | **Burden of proof**  • In Italy legislation on the burden of proof in discrimination cases has only recently been brought into line with EU requirements | **Italian UNAR**  • has powers only in case of discrimination on grounds of race or ethnic origins  • has not *locus standi*  **Italian Equal Opportunity Advisor**  • Has *locus standi* only in case of discrimination on grounds of gender  and also carries out enquiries and consultations | **Italian Trade Unions**  • The trade unions’ culture has been for a long time reluctant to wards discrimination law | **British Trade Unions**  •They represents a very low percentage of the employees  •They can strike only after a ballot  •They do not have *locus standi* for a representative action | | |
| **G**  **O**  **O**  **D**  **P**  **R**  **A**  **C**  **T**  **I**  **C**  **E**  **S** |  | **Italian Trade Unions**  • They have *locus standi* for a representative action under article 28 law 12th of May 1970  • Recently, some national collective agreements include provisions on non–discrimination and positive action provisions  • They can strike without ballot | **Italian Equal Opportunity Advisor**  • has autonomous *locus standi* in case of collective discrimination  (see article 37 decree 11th April 2006 n. 198) | **British EHRC**  • Has powers for all the grounds of discrimination  • Has powers of investigation  • Collected evidence can be used in the judicial claim  • Can claim on behalf of the employee | **Burden of proof**  • Introduction of the reversal of burden of proof on employer  • use of questionnaires that employer have to fill in to justify different treatment of employees;  •reconstruction in tribunal proceedings of the history of the employment relationship to understand the employer’s attitude towards employee claiming discrimination  • proper use of statistical data as evidence of discrimination | **British Trade Unions**  • Can carry our activities of support, mediation with employer in favour of the discriminated employee |