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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 genderand 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  |