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Protection Against Discrimination — Allgemeines Gleichbehandlungsgesetz (AGG)

The Allgemeines Gleichbehandlungsgesetz (AGG) protects against discrimination — 6 protected characteristics, complaint rights, and a 2-month deadline.

Deutsche Begriffe: Allgemeines Gleichbehandlungsgesetz | AGG | Diskriminierung | Antidiskriminierungsstelle | Beschwerdestelle | Schadensersatz

What is the AGG?

The **Allgemeines Gleichbehandlungsgesetz (AGG)** has been in force since 2006 and protects people in Germany from discrimination in working life and everyday transactions (renting an apartment, shopping, insurance, banking).

The 6 Protected Characteristics

The AGG prohibits discrimination based on:

1. **Ethnic origin / Race** — e.g., rejection of a housing application because of a surname
2. **Gender** — e.g., lower salary for the same work
3. **Religion or belief** — e.g., headscarf ban in the workplace
4. **Disability** — e.g., not inviting someone to a job interview despite qualifications
5. **Age** — e.g., job posting "seeking young, dynamic employees"
6. **Sexual identity** — e.g., discrimination against LGBTQ+ persons

Where Does the AGG Apply?

• **Working life:** application, hiring, promotion, termination, working conditions

• **Civil law:** housing market, insurance, gastronomy, retail, banking

• **Education:** access to vocational training and career counseling

Complaint Office at the Workplace

Every employer is required to establish a **workplace complaint office** where employees can report discrimination. The employer must investigate the case and take action.

Antidiskriminierungsstelle des Bundes (ADS)

The **Antidiskriminierungsstelle des Bundes** provides free and confidential advice:

• **Phone:** 0800 546 546 5 (toll-free)

• **Website:** antidiskriminierungsstelle.de

• **Advice:** in German and English, with interpreters available if needed

The ADS can mediate, provide statements, and support in legal proceedings — however, it is not an authority with enforcement powers.

The 2-Month Deadline — Must Be Observed!

Claims for damages or compensation must be asserted **within 2 months** after the discriminatory incident in writing (§ 15 Abs. 4 AGG). After this deadline, the claim expires.

Procedure:

1. Document the incident (date, witnesses, emails, screenshots)

2. Within 2 months, file a written complaint with the employer or contracting party

3. If no settlement: within 3 months of rejection, file a lawsuit with the labor court

Compensation

If discrimination is proven, you are entitled to:

• **Schadensersatz** — for concrete financial damage

• **Entschädigung** — for suffered discrimination (damages), typically: 1–3 months' salary in employment law

Tip for foreigners: Discrimination based on ethnic origin is the most common form. Document everything — including rejected housing applications or disrespectful treatment by authorities.

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