

**Question for written answer E-013660/2015  
to the Commission**

Rule 130

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Subject: Repeated failure to fully implement a judgment from the European Court of Justice (Case C-312/11)

With its judgment of July 2013 in Case C-312/11, the European Court of Justice ruled against Italy for failing to transpose Article 5 of Directive 2000/78/EC by not introducing a requirement for all employers to make reasonable adjustments within the working environment for persons with disabilities, in order that the latter may enjoy full equality with their co-workers.

In order to plug the gaps in legislation on equal access to employment and working conditions, the Italian Government subsequently sought to enforce the above judgment through the addition of Article 3(a) to Italian Legislative Decree No 216/03 (implementation of Directive 2000/78/EC) by means of Italian Legislative Decree No 76/13 (converted into Italian Law No 99/13).

Despite this formal compliance, however, a number of concerns remain – the new legislative provisions are still ineffective and vague, while the Italian Government has yet to place all its employers under the obligation to adopt appropriate and practical measures affording disabled persons effective and full access to employment and the ability to participate in that employment without discrimination.

1. Is the Commission aware of these delays in the correct and full implementation of the above judgment?
2. Is it aware of the very real acts of discrimination and genuine difficulties faced by disabled workers in accessing employment and participating therein?
3. What action does it intend to take?