

Tribunal claims of religious discrimination test equality laws

Posted: Thu, 23rd May 2013

A man described as "white British" has won more than £2,000 compensation from a halal meat firm after he complained of racial and religious discrimination.

Christopher Turton worked with 298 Muslims at the national Halal Food Group, Birmingham, and complained to a tribunal about an "offensive and racist" email. The email described Mr Turton, from Hasbury, as not being a "Muslim brother" and asked if he had been favoured in his appointment because he was white.

The Birmingham Employment Tribunal was told he was one of only two non-Muslim workers, having been employed as an area manager before being promoted to national concessional manager.

The firm supplied goods to supermarkets and other outlets and Mr Turton introduced changes in a move to boost income. But the changes were not wholly welcomed, said Mr Sonny Jagpal, representing the respondents.

Later an email was sent out criticising Mr Turton and alleging Mr Turton had been favoured and asked: "Is it because he is white?"

It also pointed out that Mr Turton was not a brother of Islam and added: "Allah is the provider."

Mr Turton told the tribunal that he found the email "extremely offensive" and was made to feel alienated. He went off work with stress and eventually resigned.

Mr Jagpal said the email had been sent by an employee and a self-employed worker and was totally against the opinion of the firm. "The firm's management disapproved of the email and arranged a face-to-face meeting with those involved and issued an apology," said Mr Jagpal.

In another case, an Essex nursery has been cleared of indirect religious discrimination after a Muslim woman complained that the dress code went against her religious beliefs.

Begum v Pedagogy Auras UK Ltd t/a Barley Lane Montessori Day Nursery in Ilford was accused of putting people observing a particular religion at a disadvantage through its dress code.

Ms Begum is a Muslim, who wears a full-length jilbab which covers her body from her neck to her ankles, and a hijab. She refused a job at a nursery after being told that she would need to wear non-slip footwear for health and safety reasons and that while she could wear a jilbab to work, it could not be of the type that covered her shoes and touched the floor. Various options had been discussed to accommodate a different style of jilbab, but Begum claimed indirect religious discrimination because the nursery had some policies that went against her morals and beliefs.

The tribunal rejected her claim as the Nursery's policy did not contravene the second part of the indirect discrimination test where it would need to be shown that it put Muslim women at a particular disadvantage. There was no group (or indeed individual) disadvantage, since Muslim women would be able to wear a jilbab - whether full length dress or shorter - as long as it did not

represent a trip hazard.

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