

Tribunal dismisses security guard's claim that his Quran was thrown "in the bin" by his employer

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An Employment Tribunal has ruled against a Muslim security guard who claimed his employers had thrown away his Quran and "challenged and disrespected" his religion.

The claimant, identified as Mr Hussain, alleged that his copy of the Quran had been taken from his personal locker at his workplace and "discarded in the bin" by his employer.

When the company hired new staff, current employees were asked to clear their lockers. However Mr Hussain failed to do so, and when he returned to work from leave he discovered that the contents of his locker, including his copy of the Quran, had been placed in a labelled bin bag, apparently alongside other labelled bags containing contents of other employees' lockers. Hussain claimed this was an act of religious discrimination.

"When I returned to work, I was distressed to discover that my Qur'an had been discarded in the bin along with my other possessions," Mr Hussain said.

"I was very shocked to find all my personal documents and stuff outside in a bin bag. I was horrified to find they had put my Holy Book Qur'an in this bin bag."

He added that this "meant they [his employer] challenged and disrespected my religion."

During evidence he gave to the Tribunal, Hussain said that his things were "put in a bin bag and placed on top of other bags in the waste bin."

However, in addition to rejecting his claim, the Tribunal suggested that he exaggerated his reaction after the fact as the hearing approached, and that the Quran was not placed inside a bin, but simply in a labelled bin bag, alongside similarly labelled bags containing other employees' property.

The Tribunal noted that the claimant became "more and more extreme" in pressing his claims "as time went on" and how, "at the time of the grievance" he did not suggest his possession had been "thrown away", but that by the time of the hearing he gave "the implication" that "his personal property was being put out with the rubbish."

After reviewing the evidence, the Tribunal concluded that "there was no disrespect to the claimant's religion" and that he was "treated in the same way as the other guards in that their property was taken out of the old lockers for safe keeping, put into a bin bag, as is quite normal, for safe keeping, labelled." The placing of the Quran in a labelled bag was not an act of religious discrimination, the Tribunal concluded.

The Tribunal noted that there was no evidence that the employer was even aware of the presence of a copy of the Quran in the locker when they moved Mr Hussain's possessions into the bag.

"The possessions were there ready for him to put back into his new locker on his return to work," the finding added.

Hussain claimed discrimination on the grounds of religion or belief and race, and that he had later been a victim of unfair dismissal. However the Tribunal dismissed every claim he made.

Mr Hussain said he had been dismissed "as a result of direct discrimination relating to his being both from Pakistan and a Muslim," but this was not upheld by the Tribunal.

NSS campaigns manager Stephen Evans commented: "Nobody should face discrimination, harassment or victimisation at work on account of their beliefs, but employers can't be expected to exceptionalise religious employees and pander to every religious sensitivity. We therefore welcome this employment tribunal's ruling in what was a clearly vexatious grievance."

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