

Caste discrimination claim succeeds

A case brought by a former domestic servant against her employers has established for the first time that a person may be treated as discriminated against on grounds of race where the derogatory treatment is connected to their caste status.

Corporate bodies can be victims of discrimination

A recent decision has confirmed that it is possible for a corporate body to be the victim of discrimination within the meaning of the Equality Act 2010.

Victimising an employee for being associated with allegations of discrimination by others is unlawful

A victimisation claim can succeed where a person is treated less favourably because someone else has made an allegation of discrimination and in the employer's mind the two people are associated.

Dismissal of outspoken Christian employee was discriminatory

The dismissal of a Christian employee who expressed negative views in respect of her colleague's homosexual lifestyle was held to be discriminatory.

Request to wear shorter jilbab: discrimination or health and safety?

An employer's request that a Muslim employee wear a shorter jilbab for health and safety reasons was held not to be discriminatory.

Employer's reasonable efforts found to be sufficient to

avoid having constructive knowledge of a disability

An employer's reasonable, though not perfect, efforts to discern whether an employee's numerous sickness absences were caused by disability have been found to be sufficient to prevent it having constructive knowledge of her disability.

Bonus scheme found to be discriminatory against disabled employees

A bonus scheme which related to levels of sickness absence has been found to be discriminatory against disabled employees.

Introducing new terms of employment can be indirect age discrimination

A worsening of employment benefits that were dependent upon length of service did indirectly discriminate against older workers.

ECJ rules that effects of obesity may amount to disability

The European Court of Justice has ruled that, whilst obesity is not of itself a 'disability', the effects of obesity on a worker's life could be deemed a 'disability'.

Beauty consultant who provided services through a chain of companies was not able to bring a discrimination claim

The Court of Appeal has held that a beauty consultant who provided her services via a chain of companies was not 'in employment' under the Equality Act 2010 and therefore could not claim discrimination.

Failure to pay male employee enhanced additional paternity pay was not discriminatory

A male employee who argued that his employer's failure to pay him enhanced additional paternity pay was directly and indirectly discriminatory was unsuccessful in his claim. The Tribunal held that the appropriate comparator for direct discrimination is a female applicant for additional paternity leave who is the female spouse or civil partner of someone on maternity leave and, therefore, the claimant could not establish that he had been treated less favourably because he was a man. In any event, it held that the disparity in treatment was a proportionate means of keeping more women at Ford.

An award for injury to feelings for discrimination in connection with termination was taxable as a termination payment

A Tribunal has held that a payment made to a claimant on the termination of his employment which related to discrimination and injury to feelings was taxable as a termination payment because it was connected with termination.