

## Employment and Faith

From 2 December 2003, when the Employment Equality (Religion or Belief) Regulations came into force, it became unlawful to discriminate against workers because of religion or similar belief. The regulations also cover providers of vocational training. The Regulations apply to vocational training and all facets of employment – including recruitment, terms and conditions, promotions, transfers, dismissals and training. They make it unlawful on the grounds of religion or belief to:

- discriminate directly against anyone. That is, to treat them less favourably than others because of their religion or belief;
- discriminate indirectly against anyone. That is, to apply a criterion, provision or practice which disadvantages people of a particular religion or belief unless it can be objectively justified;
- subject someone to harassment. Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment having regard to all the circumstances and the perception of the victim;
- victimise someone because they have made or intend to make a complaint or allegation or have given or intend to give evidence in relation to a complaint of discrimination on the grounds of religion or belief;
- discriminate or harass someone in certain circumstances after the working relationship has ended.

Exceptions may be made in very limited circumstances if there is a genuine occupational requirement for the worker to be of a particular religion or belief in order to do the job or to comply with the religious or belief ethos of the organisation.

Religion or belief is defined as being any religion, religious belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to religious belief. It will be for the Employment Tribunals and other Courts to decide whether particular circumstances are covered by the regulations.