

## What can I do if my employer treats me unfairly because of my religion or belief?

It is against the law for someone you work for to treat you less favourably than other workers because you follow a religion or similar belief. The law calls this direct discrimination. An example would be refusing to employ you, or dismissing you because of your religious belief.

It is also against the law for someone you work for to have rules, policies or practices which though not aimed at you personally, put you at a disadvantage because of your religion or belief. The law calls this indirect discrimination. An example would be a rule requiring everyone to dress in a particular way meaning you can't wear an item of clothing you regard as part of your faith. Such discrimination can be justified if it is shown to be an unavoidable business need.

Discrimination at work because of your religion or belief could include:

- requiring you to dress in a certain way or remove sacred items
- making you work at times that are against your religion
- bullying (the law calls this **harassment**) at work because of your religion.

### What is meant by religion or similar belief?

Having a religion or similar belief may mean, for example:

- belonging to an organised religion such as Judaism or Islam
- having a profound belief which affects your way of life or view of the world
- taking part in collective worship
- belonging to a smaller religion or sect, such as Scientology or Rastafarianism.

## Harassment at work because of your religion or belief

It is against the law for someone to harass you at work, because of your religion or belief. The person harassing you may be your employer, or it may be a colleague. Someone is harassing you if you find their behaviour towards you offensive, frightening, degrading, humiliating or in any way distressing. It may be intentional or unintentional.

It is also against the law for someone to harass you at work because of your religion or belief, even if they are mistaken about what it is. For example, you are attacked at your workplace by someone who has assumed, wrongly, that you are a Muslim because of your appearance. You will not have to disclose what your religion actually is in order to do something about this.

## What can I do if I am being treated unfairly or bullied at work?

If you are being treated unfairly or bullied at work take action as quickly as possible.

- if you are being harassed, **tell the person to stop**. Only do this if you feel it is safe. You may find it helpful to have a work colleague or trade union representative with you when you do this
- **tell your manager** that you are being harassed or discriminated against because of your religion or belief. Put it in writing and keep a copy. Your employer is required by law to try and prevent it. If the person involved is your manager, tell someone higher up in the organisation
- talk to your **personnel department** or **trade union**. They might be able to help you stop the unfair treatment or bullying
- **get advice**. A **Citizens Advice Bureau** may be able to help or refer you to a specialist. Details of how to find your nearest CAB are at the end of this fact sheet.
- **collect evidence**. This could include keeping a diary or record of the time, date and location of any incidents, what was said or done, if there were any witnesses and evidence of any similar incidents against colleagues. Record the names and jobs of those you think are treated more favourably than you, or of the rule or policy that puts you at a disadvantage, and explain why
- The law allows you to ask your employer to provide information through a **questionnaire** procedure. This can help you get information to support your case. Get advice early on as there are strict time limits in this procedure. This can help you get information to support your case. Get advice early on as there are strict time limits for this procedure.

### Raising a grievance

If you have tried all these things without success, you can **raise a written grievance**. All workplaces are now required by law to have a grievance procedure. Your trade union or an adviser can help. Although the law can help protect you against victimisation, think carefully about taking out a grievance or making a complaint as this could jeopardize your job or make your life at work even more uncomfortable.

### Taking your case to an employment tribunal

If you have not been able to solve your problem through raising a grievance, you may have to complain to an **employment tribunal**. You must have raised a written grievance with your employer before you do this.

Employment tribunals resolve disputes between employers and employees over employment rights, including discrimination at work. You will need to prove your case – that's why you need to collect the information and evidence suggested earlier.

First, ACAS (Advisory Conciliation and Arbitration Service) will see whether it is possible for you and your employer to agree to settle your case. If not it will go to a tribunal hearing. The tribunal is a panel of up to three people who will consider all the arguments, make a **legally-binding decision** and award **remedies**, for example **compensation**.

If you are considering complaining to an employment tribunal, get advice straight away. You must normally apply within three months of the date when the discrimination or harassment took place.

## What happens if I am victimised for complaining about discrimination at work?

If you complain about discrimination or harassment at work as a result of your religion or belief, you have some protection in law. For example, your employer can't victimise you because you have:

- encouraged a colleague to complain about unfair treatment or bullying
- given evidence in a colleague's case
- complained about unfair treatment or bullying against yourself.

Examples of victimisation could include:

- being labelled a trouble-maker
- being denied promotion or training opportunities
- being ignored by your work colleagues
- being given a poor reference.

If your employer victimises you because you have been involved in a complaint about unfair treatment or bullying at your workplace, you can make a claim for **unlawful victimisation** to an **employment tribunal**. You must raise a **written grievance** with your employer before you do this.

If you are thinking about making a claim to an employment tribunal, talk to an experienced adviser straight away.

## Further help

**Citizens Advice Bureaux** give free, confidential, impartial and independent advice to help you solve problems. To find your nearest CAB, including those that give advice by e-mail, click on [nearest CAB](#). You can also look under C in the phone book.

[www.adviceguide.org.uk](http://www.adviceguide.org.uk)

## **ACAS**

ACAS has produced "A guide on Religion or Belief and the Workplace". See [www.acas.org.uk/publications](http://www.acas.org.uk/publications), or phone the ACAS publications order line: 0870 242 9090.

ACAS also operates a helpline providing information and advice about employment issues: 0845 747 4747 (textphone 0845 606 1600).

## **The Commission for Racial Equality**

If you have been untreated fairly at work because of your religion or belief, you may also have been treated unfairly because of your race. The Commission for Racial Equality (CRE) may be able to help you:

Phone: 020 7939 0000 (England) or: 029 2072 9200 (Wales); or 0131 524 2000 (Scotland)

E-mail: [info@cre.gov.uk](mailto:info@cre.gov.uk)

Website: [www.cre.gov.uk](http://www.cre.gov.uk)

**This fact sheet is produced by [Citizens Advice](#), an operating name of The National Association of Citizens Advice Bureaux. It is intended to provide general information only and should not be taken as a full statement of the law on the subject. Please also note that the information only applies to England, Wales and Scotland.**

**This fact sheet was last updated on 1 October 2004, and is reviewed on a monthly basis. If it is some time since you obtained this fact sheet, please contact your local Citizens Advice Bureau to check if it is still correct. Or visit our website - [www.adviceguide.org.uk](http://www.adviceguide.org.uk) - where you can download an up-to-date copy.**