



Equality News - Quarter four 2021

Welcome to the fourth edition of Equality News, our regular bulletin focussing on equality, diversity and inclusion issues. In this issue, we have a wide range of interesting highlights from the world of equality and diversity. We are delighted to be joined by Jordi Casamitjana for a guest podcast where we discuss his landmark Employment Tribunal case, which established that ethical veganism was a protected belief. We also hear from Morton Fraser's HR Director, Martin Glover about the firm's recent nomination for a diversity award.

In our What's New section we look at the Women and Equalities Committee's inquiry into menopause in the workplace and a new toolkit for helping employers tackle the gender pay gap. In our discrimination cases round-up you can also read about a case involving an award of over £2million and a recent decision of the Supreme Court, which has major implications for the steps some claimants may need to take when enforcing Tribunal awards.

There is also still time to register for our forthcoming Equality and Diversity training on 23 November where we will look at how you establish the reasonable steps defence to protect your organisation from liability. Details below.

SARAH GILZEAN

Senior Associate, Employment Law
Law Society of Scotland Accredited Discrimination Specialist



Equality & Diversity Training - 23rd Nov

Do you provide training on equality and discrimination matters for your employees? Have you provided refresher training to your employees in the past year?

If the answer to either of these questions is no then your organisation may be exposed to financial and reputational risk in the event that a harassment claim is raised.

Sarah Gilzean and Karen McGill have designed this course to help employers establish a "reasonable steps" defence in the event that a harassment claim is raised against them.

In this course they will cover issues such as:

- Protected characteristics under the Equality Act 2010
- Types of discrimination
- Dangers of workplace "banter"
- Recent cases and tribunal awards
- The reasonable steps defence and how to ensure you can argue it
- Practical tips and red flags

[REGISTER HERE](#)



PODCASTS

Ethical veganism as a protected belief: Jordi Casamitjana's journey to success

Sarah Gilzean talks to **Jordi Casamitjana** about how he succeeded in establishing protection under the Equality Act for his beliefs as an ethical vegan and what this means for employers and employees. [LISTEN HERE](#)

INSIGHT

Compulsory retirement justified?

The EAT has upheld two conflicting judgements on whether the same compulsory retirement policy was discriminatory.

[READ HOW](#) →



INSIGHT

Redundancy of homeworker

Employers should take note of a recent employment tribunal decision where a non-disabled employee who worked from home was successful in arguing that her redundancy was indirect discrimination due to her association with her disabled mother.

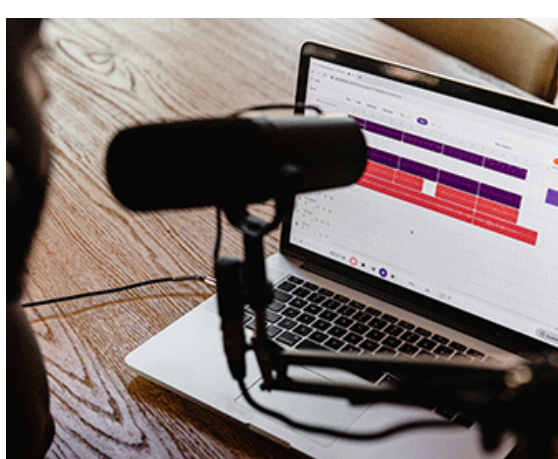
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PODCASTS

Our latest E&D podcasts

Our employment team produce a weekly podcast. Our latest episodes cover ethical veganism as a protected belief, failure to consider [flexible working](#), calling someone a [grandma](#), sending a [pregnant employee](#) home due to covid risks, [long covid](#) and the introduction of a duty on employers to [prevent sexual harassment](#) in the workplace.

You can find our podcast by searching for Morton Fraser podcasts in your podcast app.



Diversity award shortlist

Morton Fraser is a place where helping people to be the best they can be is firmly part of how we do business. To have been shortlisted as a finalist at this year's Diversity Awards was a clear recognition of all the hard work, effort and focus we put into creating the right culture for our people to be at their best more of the time.

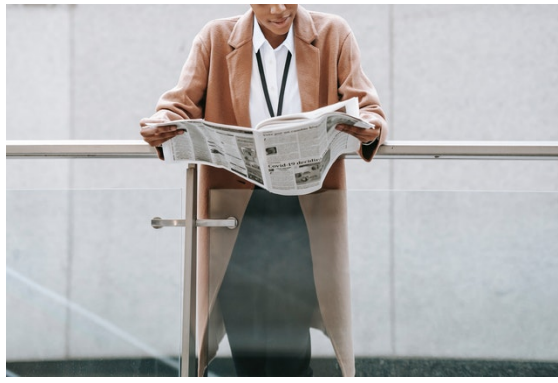
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What's new in discrimination law

Let us keep you up to date with wider equality, diversity and inclusion developments in what's new in discrimination law?

[READ THE FULL ARTICLE](#) →



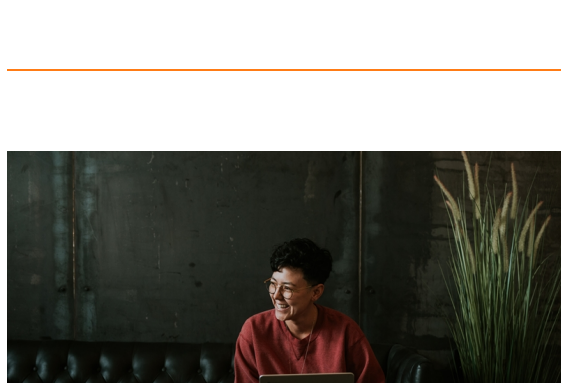
Discrimination round-up

Read the latest decisions from the courts and tribunals in our discrimination round-up.

[READ THE FULL ARTICLE](#) →

IN CASE YOU MISSED IT

We highlight some of the most important discrimination cases and news reports that have appeared in our monthly Employment Law E-News: Employer's knowledge in [disability discrimination](#) claims, ECJ rules policy [banning religious dress](#) was not discriminatory, Relevant and up to date medical evidence crucial in [sickness absence dismissals](#), Tribunal should take account of "[childcare disparity](#)" in sex discrimination claim.



Contact us

If you have any questions on the content of this e-bulletin or if you would like to discuss any other equality or discrimination issue then please contact our specialists.

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