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- The EAT hold that a teacher dismissed by a Jewish nursery for living with her boyfriend was not discriminated against because of her lack of belief in Jewish law but because of the Nursery's own religious beliefs.
- The Government Equalities Office has published two new pieces of guidance to help employers identify potential causes of the gender pay gap and develop an effective action plan to tackle it.
- The Government's response to the consultation on protecting defined benefit pension schemes indicates an intention to introduce a new criminal offence to prevent and penalise scheme mismanagement.
- The UK's working parents are suffering from poorly-designed jobs that force them to work extra hours, according to a major new study published by Working Families and Bright Horizons.

Dismissal of teacher by Jewish nursery for living with boyfriend not religious discrimination

S.10 of the Equality Act 2010 protects employees against discrimination because of religion, religious belief or philosophical belief, or a lack of all three, i.e. a non-believer. In [Gan Menachem Hendon Ltd v De Groen](#), DG is Jewish and was employed as a teacher at a Jewish nursery run in accordance with ultra-orthodox Chabad principles. DG attended a barbeque organised by a synagogue where parents of some of the children were present and during conversation it was revealed she was living with her boyfriend. Management told her that her private life was of no concern to them but if she said she was no longer living with her boyfriend, i.e. lie, that would satisfy parents who had raised concerns. DG refused and was dismissed. The EAT disagreed with the ET that DG had been discriminated against because of lack of religious belief. DG was not dismissed because of her lack of belief in Jewish law forbidding co-habitation, but because of the nursery's own culture, ethos and religious beliefs under ultra-orthodox Chabad principles. However, the ET was right that DG had suffered direct sex discrimination; the Nursery's attitude to co-habitation was because of sex and a man would not have been in the same way.

New guidance to help employers close gender pay gap

The Government Equalities Office has published two new pieces of guidance to help employers identify potential causes of the gender pay gap and develop an effective action plan to tackle it. '[Eight ways to understand your gender pay gap](#)' asks companies to identify potential areas for improvement, such as: whether women tend to enter the company in lower paid positions than men and whether there is a difference in performance scores within the organisation in relation to gender. [GPG action plan](#) encourages employers to analyse and understand why they have a gap, work with staff to find out what they can do better and then develop an action plan.

Up to seven years in jail for reckless mishandling of pension schemes

The Government's [response](#) to the consultation on protecting defined benefit pension schemes indicates an intention to introduce a new criminal offence to prevent and penalise scheme mismanagement. The measure will target individuals who wilfully or recklessly mishandle pension schemes, endangering workers' pensions, by such things as chronic mismanagement of a business; or allowing huge unsustainable deficits to build up; or taking huge investment risks; or a combination thereof. Those convicted face a term of up to seven years' imprisonment or an unlimited fine.

Parents and grapple with long hours culture

The UK's working parents are suffering from poorly-designed jobs that force them to work extra hours, according to a major new study published by Working Families and Bright Horizons. The findings have emerged from the [Modern Families Index 2019](#), a survey of 2,750 working parents showing how they manage the balance between work and family life. The survey found that many parents grapple with unmanageable workloads owing, in part, to a workplace culture of presenteeism. 78% of parents are working beyond their contracted hours. Of those who put in extra work, 60% report that doing so is necessary to deal with their workload and over half (52%) said that working extra hours is part of their organisation's culture.

Content

This update provides summary information and comment on the subject areas covered. Where employment tribunal and appellate court cases are reported, the information does not set out all of the facts, the legal arguments presented and help judgments made in every aspect of the case. Click on the links to access full details. If no link is provided, contact us for more information. Employment law is subject to constant change either by statute or by interpretation by the courts. While every care has been taken in compiling this information, SM&B cannot be held responsible for any errors or omissions. Specialist legal advice must be taken on any legal issues that may arise before embarking upon any formal course of action.

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