

## **Irish News**

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***The Fair Employment Act 1976 made discrimination on grounds of religious belief or political opinion unlawful, and it is now over twenty years since the Fair Employment Act of 1989 established the Fair Employment Tribunal to hear and decide upon complaints of discrimination in the workplace.***

***That Act also brought in the system of monitoring which obliges employers to record annually the numbers of Protestants and Catholics in their workforce and to review every three years whether or not they are providing fair participation for these two communities.***

***Both these Acts dealt solely with discrimination in the workplace, and The Fair Employment and Treatment Order 1998 also made it unlawful to discriminate on religious or political grounds in the provision of goods facilities and services and the sale, letting or management of premises.***

There have been great changes in the Northern Ireland workplace over the past three decades. The proportions of Protestants and Catholics in the overall workforce are now comparable to the religious breakdown of those who are economically active. The environment within workplaces has also improved immeasurably, with the great majority of employers clearly recognising that displays of sectarian emblems or the toleration of sectarian harassment are unacceptable.

Obviously, there have been economic, political and social developments over the past three decades which have been of great importance in all this, but it is also clear that the Fair Employment laws, and their vigorous application, have had a major impact on that change.

The clear prohibition of discrimination on grounds of religious belief and political opinion has had a marked influence on the climate within all workplaces. The decisions of the Fair Employment Tribunal have provided compelling lessons for all employers. The statutory Fair Employment Code of Practice and the guidance and advice provided by the Equality Commission, have built upon this legal foundation to ensure that employers and employees have greater awareness and clarity about how to maintain good and harmonious relationships at work. This has been significant, not just in the redress of individual grievances, but also in

creating an environment where it is clear that discrimination, including sectarian harassment, will not be tolerated.

The improvements that have been seen in the workplace should not blind us to the fact that sectarian emotions and prejudice are still a virulent force in our society. So long as that remains a reality, it is inevitable that tensions and difficulties arising from it will have the potential to cause difficulties in workplace relationships.

Around 3500 people come to us each year for advice and around a fifth of these will be from individuals who feel that they have been discriminated against in the workplace on grounds of religion and political opinion,

In these circumstances it is of crucial importance that there is a clear framework in the workplace to minimise the opportunities for attitudes to determine behaviours. That works, not just by combating discrimination when it occurs, but also by providing the reassurance that there are protections against it and that it can be challenged.

Obviously there are still issues remaining in terms of religious/political discrimination and/or under-representation in the Northern Ireland workplace. For example, Catholics remain under-represented in security related jobs while Protestants are under represented in areas of the public sector including education and health. And, of course, at the level of individual employers there remain issues of under-representation to be addressed.

What is significant is that the mechanisms for identifying these problems and opening them for discussion operate successfully. There are very specific duties on employers to monitor the religion of employees and applicants, to make a return to the Equality Commission each year, to complete at least every 3 years a review of practices and of fair participation and where necessary to implement appropriate affirmative action. This enables employers to maintain a focus on any under-representation in their own workforce and to adopt affirmative action measures to try and redress the situation.

We work very closely with all of these employers to ensure that effective processes are in place to ensure equality of opportunity.

The Fair Employment and Treatment (Northern Ireland) Order – FETO – is at once an important statement of principle and a set of concrete measures to give that principle practical effect.