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PRESS RELEASE

Two race harassment cases against restaurant chain settle for £19,000

Cases brought by two Filipino women have been settled by their employer Herbel Restaurants Limited without admission of liability. The women alleged racial discrimination and sex discrimination and harassment.

Karen Cahalig and Maria Galvan, who took their cases with the support of the Equality Commission, had also claimed that their employer unlawfully withheld pay and that they were unfairly constructively dismissed. Both women had worked for Herbel Restaurants Limited in their chain of KFC restaurants. Both of these employees had gone through the Management Training Programme before they felt compelled to leave their employment due to what they considered to be harassment and unfair treatment on grounds of their race and gender. Under the settlement terms, Ms. Galvan received £10,000 and Ms. Cahalig £9,000.

Herbel Restaurants Limited also agreed to meet with the Equality Commission to review its equal opportunities, practices and procedures and to furnish both women with written references.

Ms Galvan worked for Herbel restaurants limited from 2004 to 2013 and at the time of her departure was working as a General Manager. She alleged that she was subjected to verbal racial harassment and suffered significantly less favourable treatment than local workers from Northern Ireland; that she had difficulty securing the appropriate rates of pay compared to local workers and that she was also subjected to unwelcome and unwanted gender based comments. She eventually took the decision to leave her work and alleges that this was because of her treatment.

Ms Cahalig worked for KFC from 2007 to 2013 and was working as a Trainee Manager. She also alleges discriminatory treatment in terms of pay, unequal treatment at work, verbal racial harassment and unwelcome and unwanted gender based comments and says she left her employment because of this treatment.

Dr Michael Wardlow, Chief Commissioner of the Equality Commission, said: "This case shines a light on an important area of work for us. Race discrimination is consistently amongst the top three types of discrimination about which the Commission receives complaints."

“The majority of the race discrimination enquiries the Commission receives are about employment or the workplace and many of these involve racial harassment. Employers are, for the most part, aware of the laws protecting workers against race discrimination but they must also ensure that they have robust policies in place to give effect to that protection.”

“An important part of these settlements, as with so many of the cases we settle, is the agreement by the company to meet with the Commission and ensure its policies, practices and procedures are effective and conform with all the requirements of equality legislation. The Commission’s advice and guidance services for employers are a key part of our work to promote full equality of opportunity for all workers in Northern Ireland and to combat race discrimination.”

ENDS

Notes to editors

- Advice for business people employing migrant workers: <http://goo.gl/1R9mbH>
- Recruiting migrant workers: <http://goo.gl/kp3YGQ>
- Advice to migrant workers on their rights at work: <http://goo.gl/W7wnPH>