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A former B&M Worker Settles Disability Discrimination Case

Harvey Spence, a young man with a learning disability, has settled his case alleging disability harassment against his former employer B&M Retail Limited for £5,000. Mr Spence was supported by the Equality Commission for Northern Ireland, and the case was settled without admission of liability.

Mr Spence worked for B&M for 18 months in a stock filling role and had enjoyed his job but says that this all changed when he was subjected to disability harassment by some colleagues. He says he was excluded from conversations, subjected to derogatory remarks, was constantly told he was useless and that no other company would want him because he was stupid and that everything about him was bad.

Harvey said: "I liked going out to work and earning my own money, it was important to me. After a year in my job, some new people I worked with started being horrible to me and it became really hard and very upsetting. I dreaded going to work. Some of the people I worked with wouldn't speak to me at all and others would tell me to go away by saying horrible things, they used really bad language and called me names.

"I found it hard to stand up for myself, and in the end I had to leave my job as it was making me feel very sick. I got so worried about how they would treat me if I went back in. I don't know if I'll ever be able to get another job because I'm really afraid other people will treat me like that again."

Dr Evelyn Collins, Chief Executive of the Equality Commission for Northern Ireland said: "It is so disappointing that Harvey, who was keen to work, enjoyed his job and the sense of identity and independence it offered him, felt he had no choice but to leave his job. The sort of behaviour that Harvey describes really has no place in any workplace. Harvey was entitled to be treated with dignity and respect at work just like everyone else.

"The employment rate for disabled people in Northern Ireland is 37.3%, the lowest of all the UK regions, and this needs to improve. Harvey's experience at work highlights that much remains to be done to challenge barriers to employment for many disabled people and to ensure they can secure and retain paid employment.

"Employers have a responsibility to provide and promote a good and harmonious working environment. Harvey did not experience that, he felt he had no option but to go off on sick leave and then it appears that no one contacted him to check if he was ok or to offer support. This is exactly why employers must have procedures and policies in place to allow them to deal promptly and seriously with complaints of

discrimination or harassment and ensure that their staff know how to access these and that their managers are appropriately trained to use them.” concluded Dr Collins.

Note to Editor:

As part of the settlement terms for this case:

- B&M confirmed its commitment to the principle of equality of opportunity in employment.
- The company undertook to liaise with the Equality Commission for Northern Ireland to review its Equal Opportunities, disability policies, practices and procedures as applicable within Northern Ireland to ensure that they are effective and conform with the Disability Discrimination Act 1995 (as amended).
- The company also agreed to consider reasonable adjustments as suggested by the Equality Commission within an agreed timescale.