

Veganism in the Workplace

Summary of speakers' contributions to the APPG webinar event 2pm, 8 September 2020

(Please note this is a paraphrased summary of the speakers' contribution and not a verbatim account.)

APPG Chair: Christina Rees MP

Vice-Chair: Kerry McCarthy MP

Speakers: Peter Daly, Jeanette Rowley, Sadie Cable and Jack Barber

Christina Rees MP began by introducing the topic of the event. She highlighted the rapid growth of veganism in the UK, and the fact that there are now more vegans in workplaces than ever before. Christina then raised the questions:

- what steps are employers undertaking to ensure that vegans don't face barriers in their workplace?
- how could workplace environments conflict with vegans' ethical beliefs?

before introducing the first speaker Peter Daly.

Peter Daly is a Principal Lawyer at Slater and Gordon Solicitors, specializing in employment law. Peter represented Jordi Casamitjana Costa in a landmark employment tribunal, which ruled that veganism is a protected belief. This case established that 'ethical veganism' is protected by discrimination legislation.

Peter introduced the background and the facts of the case – the case involved a dispute over Jordi's company pension scheme. The pension scheme held investments in companies that tested on animals and this was against Jordi's beliefs. Jordi was not able to resolve this issue with his employer and so he withdrew from the pension scheme and advised colleagues to do the same. Jordi was then dismissed because of this. As part of the case the judge asked for a separate tribunal hearing to determine whether ethical veganism met the criteria to be considered a protected philosophical belief.

Peter described what the requirements are for a belief to be considered a 'protected philosophical belief, under the Equality Act (known as the Grainger vs Nicholson test):

- The belief must be genuinely held.
- It must be a belief, not just an opinion or a viewpoint.

- It must be a belief as to a weighty or substantial aspect of human life or behaviour.
- It must attain a certain level of cogency or seriousness.
- It must be worthy of respect in a democratic society.

It was clear early on that ethical veganism met these five tests comfortably. When the tribunal came, no opposing argument was given, but a detailed case was still presented to demonstrate that Jordi's ethical veganism met these tests. It was clear that Jordi's veganism affected his day to day life profoundly and evidence was presented to demonstrate this. Legal and philosophical arguments were also presented by experts.

The ruling in favour was clear and simple, which Peter deemed to be a strength. It was important to Peter and Jordi that the judgment contained something about proselytizing, or the role that spreading the belief played in veganism, because this is a common area where vegans might face discrimination, but the ruling only mentions this briefly.

Peter described the employment tribunal as a tribunal of first instance, not a final authority on this issue. But it presents a template for how ethical vegans can prepare a claim if they feel they have been discriminated against. The structure of the case could be adopted in a letter to their employers, or in future tribunal cases if necessary. And the fact that it was a clear ruling which wasn't challenged means that it puts employers on notice – if they are sued for discriminating against ethical vegans, the likelihood is that they will lose, because the belief so firmly meets the five criteria in the Granger-Nicholson test.

In a philosophical belief claim you look at the belief, but you also look at the person and the extent to which they hold that belief; you must be able to demonstrate this. But this is a clear judgment that ethical vegans cannot be discriminated against in the workplace.

Christina then introduced the second speaker, Jeanette Rowley, Chair of The Vegan Society's International Rights Network. The rights network has produced a [Guide for Employers](#) to support vegans in the workplace. Jeanette explained complaints from vegans about their workplaces that The Vegan Society receives, which include:

- jokes or 'banter' that go too far
- harassment or bullying
- accusations of extremism
- inadequate kitchen facilities
- exclusion from workplace events
- problems obtaining appropriate equipment or uniform
- pension arrangements
- tasks they find offensive or objectionable.

The Vegan Society signposts vegans to support, such as citizens advice, and suggests raising these issues via appropriate routes in their workplace – with support services or with a manager. But sometimes vegans feel that support services in the workplace are not available to them. So, this guide was meant to help employers who don't know how to support vegans in their organisation, don't understand their equality duties, and don't yet understand how to manage discrimination or diversity issues. The guide also helps vegans understand their own rights, and what they can reasonably expect from an employer.

Jeanette referred to research and survey data about the wider context of workplace discrimination around religion or belief, the scale of this as an issue, and the way it manifests.

She then described the contents of the [Guide for Employers](#), which informs employers about veganism and its legal protection, and their equality and diversity duty. It explains some measures that are considered reasonable accommodation, including: adequate kitchen facilities for their food, discussions about uniform items or PPE, the need to create a positive atmosphere in the workplace, and the need to take veganism in the workplace seriously.

At this stage Kerry McCarthy MP asked a question around the limits of the legal protection for vegans, and where it might come into conflict with the reasonable expectations from other people not to have that belief thrust upon them. She gave an example of religious nurses praying over patients who didn't share their beliefs and didn't want this. Kerry then raised an example of products such as soap provided in the Houses of Parliament, and whether they could reasonably be asked to provide products that aren't tested on animals. Kerry also recounted an experience in the agriculture committee where MPs were relentless in their jokes directed at veganism.

Peter answered by underlining the link between religious and philosophical belief in the law. He explained that where there is conduct that is said to be arising from the belief you must ask whether the behaviour actually forms part of that belief or if is this just the individual's personal interpretation. So, in the example given - there's nothing inherent in Christianity that requires a Christian nurse to pray over a patient. Likewise in an example of a vegan being rude or abusive to someone eating a bacon sandwich, that behavior is not necessitated by veganism and therefore would not be protected, but if someone were being rude or abusive to them for eating a vegan sandwich, that would be discriminatory.

Peter also addressed the point about products in the Houses of Parliament, suggesting that there was no reason he could see that the Houses of Parliament should not provide products that weren't tested on animals. He also noted the special position of parliamentarians not strictly being employees, and that being a legal difference in these specific examples.

Christina then introduced Sadie Cable and Jack Barber, co-chairs of Suffolk County Council Vegan Employees Network, a network that supports vegan staff, promotes understanding, and tries to influence decision making in the Council.

Sadie, who works in adult safeguarding for the Council, explained that the network was started in 2019. It is the first County Council vegan staff network in the UK and they are hoping that others will follow suit. They started the network for a range of reasons partly rooted in common issues that vegans face in the workplace, including lack of food options in the canteens, exclusion from events, and dismissive or offensive comments. But they also wanted to make positive change in local government and expand people's understanding of veganism.

Jack, who works as a recruitment manager at the Council, explained that the network, like other staff networks, has an opportunity to influence decision making – the staff networks feed into policy and strategy in relation to equality and inclusion and are able to have representation at relevant meetings. Jack explained that all staff networks at the council relate to a protected characteristic. The vegan network was launched before the employment tribunal ruling so there was some negotiation needed to enable it to be launched, because veganism is often seen as a dietary choice and not a belief.

Sadie then explained the consultation that they did with staff on what they would want from a vegan staff network. People reported wanting education, recipes, vegan tips, food and drink and campaigning and promotion, inclusiveness and supportiveness and environmental activities.

The network has just under 160 members, but it is open to people who aren't vegan too, and only around one third are openly vegan, while others feel that they align with vegan values.

Sadie explained the mission and vision of the network and Jack explained their values and objectives ([all of which can be viewed on their website](#)), and how they addressed any concerns about the network by outlining these at the launch of the network.

Sadie outlined some of the network's achievements, including climate breakdown citizens assembly, beach cleans, and collaborations to improve provision of meat-free options in schools. And Jack described the benefits not just to animals, people, and planet, but also to the Council's staff, company strategy, and to the local community.

They hope that this model can be replicated in workplaces and in the local government sector. They also mentioned the vegan leaders in the [corporate management playbook](#) which helped them establish the network.

