

Ethical veganism is a philosophical belief

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Employers will need to be alive to issues surrounding ethical veganism holding it as sincerely as they would a religious belief, a disability or gender.

On Friday, 3 January 2020, a Norwich Employment Tribunal Judge, Robin Postle, [ruled](#) that an employee dismissed for raising concerns over a pension fund involving animal testing, holds a philosophical belief as an ethical vegan; therefore ethical veganism is protected in law against discrimination.

Under the [Equality Act 2010](#) it is unlawful for an employer to directly discriminate by treating an employee less favourably than others because of their religion or belief.

In deciding whether veganism is a “philosophical belief”, the Employment Tribunal had to consider the following criteria, that the belief:

1. was genuinely held;
2. was a belief and not an opinion or viewpoint based on the present state of information available;
3. was a belief as to a weighty and substantial aspect of human life and behaviour;
4. attained a certain level of cogency, seriousness, cohesion and importance; and
5. was worthy of respect in a democratic society, compatible with human dignity and not conflict with the fundamental rights of others.

Whilst the Employment Tribunal has made its decision that ethical veganism is a philosophical belief under the Equality Act 2010, they have yet to make a decision as to whether Mr Casamitjana’s dismissal was because of his beliefs. The League Against Cruel Sports maintains that his dismissal was for gross misconduct and had nothing to do with his beliefs.

This is a landmark case and employers will need to be vigilant not to violate their employees’ philosophical beliefs.

It is always advisable to take legal advice before taking steps to dismiss an employee. Contact Lauren Cullen today.

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Note: This is not legal advice; it is intended to provide information of general interest about current legal issues.

