

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Germany	2019	Germany / Higher Labour Court of Rhineland Palatinate (Landesarbeitsgericht, Rheinland-Pfalz) / 3 Sa 132/19 / ECLI:DE:LAGRP-2019-1216-3Sa132-19-00	http://www.landesrecht.rp.de/portal/portal/7a/page/borprod.com?Id=Dokumentanzeige&showdoccase=16&doc_id=JURF2000079856&doc_part=1	Religion	Higher Labour Court of Rhineland Palatinate (Landesarbeitsgericht Rheinland-Pfalz)	The plaintiff claims compensation because of an rejection of an application. The defendant had advertised an apprenticeship for office management. The plaintiff sent her application with a photograph attached that showed her wearing a headscarf, whereupon the defendant replied: "I assume that your application is surely not meant seriously and you surely only drafted an alibi letter to receive welfare benefit. My advice for the future: in case you ever wanted to write a serious application, do without the 'headress'."	The Court confirmed the prior instance decision.	The court ruled that the plaintiff has the claim to damages in the amount of 1.500 Euro.	The Court had to decide whether the plaintiff has a claim of damages on ground of discrimination.	"Im vorliegenden Fall gilt, dass die zumindest auch durch das religiöse motivierte Tragen eines Kopftuches verursachte Absage durch das Absageschreiben deutlich indiziert ist, auch wenn das Kopftuch nicht als Grund für die Absage benannt wird sondern nur Gegenstand eines „Ratschlags“ für künftige Bewerbungen ist." "In this case, the rejection letter clearly indicates that the rejection is at least also caused by the religiously motivated wearing of a headscarf, even though the headscarf is not named as the reason for the rejection but only as a matter of "advise" for future applications."

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