

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
Ireland	2023	Ireland / A Barber v A Hairdressing Salon IR - SC - 00000834	https://www.workplacerelations.ie/en/cases/2023/july/ir-sc-00000834.html	Religion, Sex/Gender	Workplace Relations Commission	In case IR-SC-00000834, the worker, a barber employed since March 7, 2022, argued that he was dismissed without prior notice and that the employer failed to follow the termination procedures outlined in the company handbook. He acknowledged making certain sexist remarks but contended they were made in jest and not intended to be taken seriously. The employer, operating a hair and beauty salon, cited several issues leading to the dismissal, including the worker's punctuality problems, refusal to perform tasks he deemed "a woman's job," and making anti-Muslim and anti-LGBT comments. Despite informal warnings, the worker's behaviour reportedly did not improve, prompting the termination of his employment.	The adjudicator found that the complainant's case was well founded. The ruling however also confirmed that employers may dismiss employees for conduct violating workplace equality standards, especially when linked to discriminatory or offensive speech. The case strengthens the principle that anti-discrimination laws apply not only to hiring and promotion but also to maintaining workplace dignity and preventing discriminatory behaviours.	The worker alleged unfair dismissal, arguing that he was not given proper notice and that his remarks, including sexist comments, were made in jest. The employer countered that the dismissal was justified due to repeated inappropriate comments, including anti-Muslim and anti-LGBT remarks, as well as gender-based refusals to perform certain tasks. The Workplace Relations Commission (WRC) considered whether the employer's decision was proportionate and whether due process was followed, weighing the worker's behavior against the standards of professional conduct.	This case clarifies workplace conduct and discrimination-related dismissals, particularly regarding offensive speech in employment. It raises questions about whether derogatory remarks create a hostile work environment and how employers should respond. Additionally, it illustrates the intersection between freedom of expression and workplace non-discrimination obligations, reinforcing the employer's duty to maintain an inclusive, harassment-free environment in line with EU non-discrimination standards.	"It is clear that the respondent was very frustrated by the complainant's conduct, and he confirmed at the hearing that he had made sexist comments and other allegations were made about him making anti-Muslim and anti-LGBT comments. These are very serious allegations, but their gravity does not relieve the respondent of the obligation to put them to the complainant, hear his response in the course of a fair process and then decide on an appropriate sanction if any is merited. In this case the respondent did not do these things and therefore I have no hesitation in finding that the dismissal was unfair."

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