



NEWS REPORT

Date:	17 November 2010
Expert:	Orlagh O'Farrell
Title:	Teacher awarded €12,697 by the Equality Tribunal for discrimination on the grounds of religion in access to employment.
Country:	Ireland
<u>Context</u>	
Issue at stake:	Religious discrimination in access to employment in a national primary school
Ground of discrimination:	Religion
Source:	Equality tribunal decision DEC-E2010-189
Field:	Employment
Legislative provisions:	Sections 8 and 82 Employment Equality Act 1998 - 2008

Content

Case: A teacher who lost the offer of a permanent post after she failed to furnish a Catholic religion certificate has been awarded €12,697 (the maximum award available where there is no remuneration) by the Equality Tribunal. The award was made to Michelle McKeever, a member of the Church of Ireland, in a case taken by the Irish National Teachers Organisation (INTO). The tribunal found that a school had discriminated against her on the grounds of religion when she applied for a permanent post. Graduates in the main Catholic teacher-training colleges are given the religion certificate on graduation, once they have completed a certificate course. Some however have questioned whether State-funded teacher-training colleges should still require all students to complete a course in religion.

The largest teacher-training college in the State, St Patrick's Drumcondra, describes the certificate in religious studies as a "valuable certificate to have" which is "required for teaching in a Catholic primary school". The college advises students it is "not essential to take it [the certificate course] but the vast majority of primary schools in Ireland are under Catholic management".



Ms McKeever applied for a job in Knocktemple national school, Virginia, in May 2007. Subsequently, she was contacted by the principal and the chairperson and offered a permanent post. This offer was later withdrawn, following a phone call in which Ms McKeever was questioned about holding the Catholic certificate.

Initially, Ms McKeever was told by the chair of the school board that her failure to produce a certificate would not be a problem as “she would be teaching fourth class, which was not involved in Communion or Confirmation”.

The Equality Officer in the case concluded that a school board meeting in July 2007 was advised by the chairperson that the complainant did not have the religious certificate. The officer concluded that not only was the complainant's religion discussed but it influenced the board of management in withdrawing the offer that had been made. This amounted to discrimination on the grounds of religion. He awarded compensation of €12,697 as redress, the maximum allowed in relation to access to employment. Ms McKeever has secured a permanent post in another school.

The INTO, which represented Ms McKeever in the case, welcomed the outcome. Sheila Nunan, general secretary, said the case demonstrated that the prohibition of discrimination on religion grounds could and did apply to denominational schools.

Internet link source and additional information:

<http://www.equalitytribunal.ie/index.asp?locID=181&docID=2470>