EMPLOYMENT TRIBUNAL CASE STUDY

**BRIEF**

*Morgan v Halls of Gloucester ET/1400498/09*

Mr Morgan, who is black, worked as a delivery driver in a workplace where swearing was common and little attention was paid to equal opportunities issues.

The employer did have an equal opportunities policy, but this was kept in a filing cabinet and none of the employees or managers knew of its existence.

Mr Morgan resigned and brought a range of race discrimination claims, mostly claiming that he had suffered serious racial harassment. He said that:

* he had been told by another delivery driver who overheard him talking in patois to another black employee, Brian Ennis, to "stop speaking that jungle talk";
* he had overheard in the next room Mr Ennis being referred to as "golliwog Brian";
* as there were two delivery drivers called Brian, one white and one black, Mr Ennis was frequently referred to as "black Brian" to distinguish them; and
* the employer had done nothing to discipline a delivery driver, Mr White, who expressed extreme racist views, including that "black people should be burnt at the stake like Jews", despite an earlier complaint by a Jewish driver.

Various other disputes (about issues such as pay, workload and a written warning) culminated in Mr Morgan resigning.

Mr Morgan subsequently raised a racial harassment claim.