

# **Being Christian DOESN'T give you the right to be off work on Sundays:**

## **Devout care worker loses tribunal**

“The ruling is the latest to sideline Christianity in modern Britain”

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Lost: A tribunal ruled against Celestina Mba's claim of religious discrimination

Christianity was dealt a further blow yesterday when a devout care worker was told she had no legal right to take Sundays off.

Celestina Mba, 57, lost her claim for constructive dismissal after a judge ruled her employer could make her work on the Sabbath.

The Baptist mother-of-three claims she was forced from her job caring for disabled children after clashing with bosses over the issue.

But the tribunal ruled that keeping Sunday as a day of rest was not a ‘core component’

of Christianity.

Miss Mba had claimed that a Muslim colleague had been treated more favourably by being given time off for Friday prayers. This was denied by her employers.

Speaking after the hearing, Miss Mba said: ‘I am amazed by this decision. I thought this was a Christian country and known for its welcome and hospitality to all people. I worked hard for years at my job, and to lose it because of intolerance towards my faith is shocking to me.

‘For me, Christianity requires Sundays off. The Bible asks us to remember the Sabbath day and to keep it holy. It’s about much more than going to Church. I spend the whole day helping others in the community – some of whom have no one to be there for them.’

Miss Mba is part of her church’s ministerial team and spends her Sundays providing pastoral support for the congregation, often visiting local hospitals.

The tribunal ruled against her after reading a statement submitted to support her case by a senior clergyman, which stated only some Christians observe the Sabbath.

Michael Nazir-Ali, former Bishop of Rochester, wrote: ‘Some Christians will not work on the Sabbath (except for mercies), others may work only in an emergency; some Christians will want to wear a cross to manifest their faith, others will manifest their faith in some other way.’

It led Judge Heather Williams to conclude that refusing to work on a Sunday was ‘not a core component to the Christian faith’.

Miss Mba is now considering appealing the rejection of her claim against Merton Council in south London for constructive dismissal on the grounds of religious discrimination.

The tribunal was told that Miss Mba had a contractual obligation to work on Sundays at Brightwell children’s home because it was open every day.

She had previously claimed her manager had promised he would ‘work around’ her requirements to have Sundays off.

But Judge Williams said there had been a misunderstanding and she had not made her needs clear before signing the contract.

The judge added: ‘There was no express agreement ever arrived at between the parties

that she would not have to work Sundays. On the contrary, she was contractually obliged to work Sundays.'

The tribunal heard that Miss Mba had been allowed Sundays off after starting work in 2007 – but in 2008 she was told this would end. When she refused to comply, she was threatened with disciplinary action – eventually prompting her resignation in 2010.



Baroness Warsi said a 'liberal elite' was attempting to downgrade the importance of religion in public life

The panel also found there was 'no evidence' that Muslim colleagues had been treated more favourably than Miss Mba.

Speaking after the case, Andrea Williams of the Christian Legal Centre, which funded the claim, said: 'We are extremely disappointed by this decision. Other faiths seem to be much more readily accommodated while Christianity is often ignored.'

The ruling is the latest to sideline Christianity in modern Britain.

In 2010, Nadia Eweida lost her appeal against a decision to clear British Airways of discrimination by stopping her wearing a cross visibly at work.

Earlier this month, a High Court judge banned prayers at council meetings in Bideford, Devon, a tradition dating back to the era of Elizabeth I.

And on the same day, the Appeal Court ruled that two Christian B&B owners broke the law by refusing to allow a gay couple to stay in a double room.

Following the cases, Lord Carey, former Archbishop of Canterbury, urged David

Cameron to act to safeguard Britain's 'founding Christian traditions'.

Last week, Baroness Warsi, Tory Party chairman, said a 'liberal elite' was attempting to downgrade the importance of religion in public life.

In a speech at Lambeth Palace, the Queen described the Church of England as 'misunderstood' and 'under-appreciated'.

### **Christianity and the courts**

- Gary McFarlane, 48, a former elder in a church in Hanham, Bristol, lost his fight at the Employment Appeal Tribunal (EAT) in London to prove discrimination by the relationship charity Relate in 2009.

McFarlane lost his job after refusing to provide sex therapy to gay couples has failed in a further attempt to prove religious discrimination by his former employers.

- Nadia Eweida, 58, lost her appeal against a ruling which cleared British Airways of discrimination by stopping her wearing a cross visibly at work.

The tribunal, held in 2010, was told Miss Eweida was sent home in September 2006 over the display of the small silver cross on a chain around her neck, which she wore as a personal expression of her faith.

- Hannah Adewole complained that wearing trousers goes against her religious beliefs.

Mrs Adewole, 45, cited a command in the Bible that women should not wear men's clothing, and claimed she was banned from wearing scrub dresses in theatre.

She pointed out that Muslim midwives are allowed to vary official uniform with their own hijabs and tops.

She sued Barking, Havering and Redbridge University Hospitals NHS Trust in 2011 for religious discrimination and harassment, but lost the case.

- A homosexual couple who successfully sued the Christian owners of a hotel who refused them a bed are withdrawing a claim for more compensation, it was revealed today.

*Steven Preddy and Martyn Hall had said Cornwall B&B owners Peter and Hazelmary Bull were let off lightly and had called for their £3,600 damages to be increased.*

- Earlier this month, Christians and politicians reacted with dismay after a judge overturned centuries of custom by outlawing a town hall in Devon from putting prayers on the formal agenda.

Atheist former councillor Clive Bone started the case against Bideford town council in July 2010, claiming he had been ‘disadvantaged and embarrassed’ when religious prayers were recited at formal meetings.