
DRAFT STATUTORY INSTRUMENTS

1998 No.

**The Fair Employment and Treatment
(Northern Ireland) Order 1998**

PART III

DISCRIMINATION IN THE EMPLOYMENT FIELD

Discrimination in the employment field

Discrimination against applicants and employees

19.—(1) It is unlawful for an employer to discriminate against a person, in relation to employment in Northern Ireland,—

- (a) where that person is seeking employment—
 - (i) in the arrangements the employer makes for the purpose of determining who should be offered employment; or
 - (ii) in the terms on which he offers him employment; or
 - (iii) by refusing or deliberately omitting to offer that person employment for which he applies; or
- (b) where that person is employed by him—
 - (i) in the terms of employment which he affords him; or
 - (ii) in the way he affords him access to benefits or by refusing or deliberately omitting to afford him access to them; or
 - (iii) by dismissing him or by subjecting him to any other detriment.

(2) Paragraph (1)(b) does not apply to benefits of any description if the employer is concerned with the provision (for payment or not) of benefits of that description to the public, or to a section of the public comprising the employee in question, unless—

- (a) that provision differs in a material respect from the provision of the benefits by the employer to his employees; or
- (b) the provision of the benefits to the employee in question is regulated by his contract of employment; or
- (c) the benefits relate to training.