



Jehovah's Witness fitness instructor wins unfair dismissal claim

A Jehovah's Witness who was dismissed from his job as a fitness instructor at a Virgin Active gym has won his claim for unfair dismissal.

Problems began for the instructor, Maciej Grouchowski, who worked at Virgin Active's Rochdale branch, after members began contacting the gym to find out when he was working so they could avoid being there at the same time as him; the members explained they felt uncomfortable because of his frequent discussions on religious beliefs. Within a couple of weeks, a colleague complained about "homophobic views" Mr Grouchowski had raised in the staff room and, just days later, he was suspended after police were called when he refused to leave after turning up for work on his day off. Mr Grouchowski was then suspended for a second time and subsequently given a final written warning after telling a woman who was taking a yoga class that the activity was "dangerous" as it "opened up the chakras (energy points) and allowed evil in". Within two months the instructor was sacked after writing a series of emails to bosses explaining his religious beliefs on issues such as Halloween and Satanism.

However, an employment tribunal in Manchester has found in Mr Grouchowski's favour and held that the dismissal was unfair as he had not breached the terms of the final written warning banning him from discussion religion when it was "unwelcome" or "made others feel uncomfortable". Virgin Active has been ordered to pay Mr Grochowski £653.50 (the award having been reduced by 75% to reflect his conduct prior to the dismissal).