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**STORY**

## Edmonton Subway shop owner alleges chain discriminates because of turban

**LORRAINE TURCHANSKY**

Canadian Press

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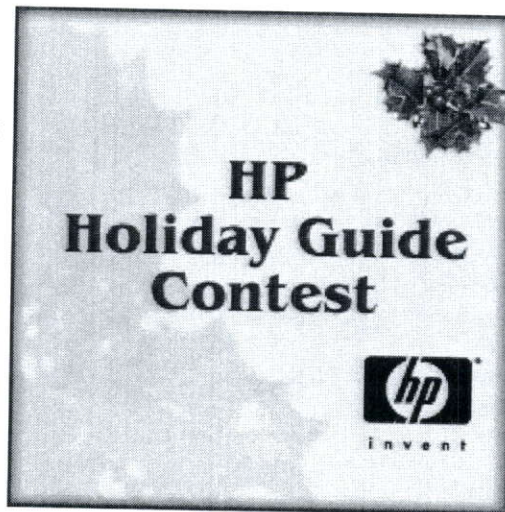
EDMONTON (CP) - Hardip Singh Brah built what many immigrants might consider a dream life in Canada - a successful business empire that employed his family and dozens of other workers.

But the sandwich shop owner says it's in ruins now, allegedly because an inspector for the Subway chain decided the turban he wears as a devout Sikh doesn't fit with the white-bread corporate image of a sandwich artist. In frustration, Brah has given up on the family goal of owning 20 shops. He once had 87 employees and revenues around \$1 million, but now has sold five of his shops and put the other four on the block. He's also launched a lawsuit in hopes of recouping his losses and complained to the Alberta Human Rights Commission.

"We worked very, very hard," Brah, 56, told reporters crammed into a south Edmonton Subway shop Thursday. "But what has happened now, it's broken our hearts. This was our living and we were enjoying it. It was very nice to us before."

"Before" was prior to the arrival of Dan Mohan as development agent for

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Subway in Alberta in 2000. The chain's regional development agents ensure that its stores - over 80,000 in 71 countries - all operate by the same standards.

In 2001, Brah's store was reported to head office in Connecticut as "non-compliant" with the standards, because Brah was wearing a turban instead of the prescribed company visor or ballcap.

Brah said one Subway inspector, whom he wouldn't name, referred to his turban as a diaper on his head.

"It makes me feel so bad I don't even want to say it," he said.

His lawsuit alleges that Mohan and other Subway agents then subjected Brah and his wife Parminder to a continuing "pattern of intimidating, harassing conduct, including demeaning comments and threats."

Mohan could not be reached for comment.

In a preliminary report issued Nov. 5, Alberta human rights investigators found that Brah had faced discrimination on the basis of religion and recommended he be compensated for pain and suffering. The case will now go before a human rights commission panel for a public hearing and final ruling.

Subway spokesman Kevin Cane denied the chain has any anti-turban policy and said hundreds of Subway employees have been wearing turbans for years. But under a two-year-old company policy, they are required to apply for an exemption to vary the uniform in any way.

"We just recently put it in writing," Cane said from Subway head office in Milford, Conn. "A big part of that is so that if there was somebody from a regional office - just so everybody understands that yes, this is acceptable, yes, it's for religious or cultural reasons, things like that, that this is certainly an allowable thing."

He said it's unlikely anyone would be refused such an exemption.

Shirish Chotalia, the lawyer who is handling Brah's human rights case, disputes that.

"Mr. Brah feels that's still not sufficient, that he shouldn't have to apply for an exemption to practise his religion," she said. "And he's not even confident that they would give it to him, based on what's happened so far."

The Brahs and their four children lived in Kenya and Great Britain before immigrating to Canada in 1981. They bought their first Subway store in 1992 and by 1999 had nine. Every member of the family worked in the business and counted on it for their livelihood.

Brah's eldest daughter, Rupe, said her family's shops regularly earned praise and awards from head office.

Now her father says the stress is wrecking his health and he's afraid to think about the future.

"I don't feel like working. I feel always threatened by Subway. I don't