

# Sikh owner of sandwich shops accuses Subway of discrimination

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The Sikh owner of several Subway shops claims he was barred from buying further franchises because he wears a turban.

Hardip Singh Brah once owned nine Subway shops and says discrimination has forced him to sell five franchises and put the remaining four on the market.

The Uganda-born Brah emigrated to Canada in 1981 and considers himself Sikh-Canadian. He purchased his first Subway in 1992 and, by 1999, owned nine shops in Edmonton and nearby small towns.

He said he wore his turban for years without any problem.

Brah said his troubles began when Subway hired a new regional development agent and sent field representatives to his shops. The representatives visit stores to ensure compliance with performance standards.

In a report dated March 2001, a copy of which was made available by Brah, a field representative wrote: "I also noticed that one of the owners was working behind the counter with his traditional headgear ... you must wear the approved Subway head covering."

Brah said that surprised him.

"I had been to many (Subway) conventions and there were no problems at all," he said Thursday at a news conference at one of his stores.

He said the company representative who visited his shop harassed and insulted him.

Brah filed a complaint with the Alberta Human Rights Commission in March 2002.

From his Connecticut office, Subway spokesperson Kevin Kane said he could not talk specifically about Brah, since the



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Hardip Singh Brah owns several Subway franchises in Edmonton.

company has been in litigation with him for a "couple of years."

"We do not have anything that resembles an anti-turban policy," he said. "We have, in our operations manual, a uniform-waiver policy. If the employee needs to deviate from the uniform policy for religious reasons ... they submit a written request and our operations department determines whether they are going to be granted the waiver."

"For religious reasons, and that includes a turban, they can't turn somebody down," Kane said. "There are hundreds of franchisees and employees wearing turbans in Subway stores (around the world)."

But Brah insists that policy came too late to help him. "They made the policy in 2003 ... they printed it in their newsletter and training manual. But it

was too late, because already I had sold the stores and I had already filed the human-rights complaint."

Brah said he was left no choice but to sell five of the stores. The remaining four are also for sale.

"They said if you don't sell the store, then we'll take it," Brah said.

Human-rights commission director Marie Riddle would not confirm that Brah's complaint has reached her office.

Lawyer Shirish Chotalia, who represents Brah, said the commission released "a confidential investigation report" in early November, but she would not make a copy available to reporters. Chotalia alleges the report concluded that Subway has an anti-turban policy.

Brah is also involved in a civil suit against Subway and its representatives.

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