

U.S. raider stalks the Bay

WHY JERRY ZUCKER MIGHT BUY CANADA'S OLDEST COMPANY: REPORT ON BUSINESS

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Had to sell several of his shops, Sikh says

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The confidential 15-page report is not legally binding, and commission members will make the final ruling. However, it has given Mr. Brah hope that the policy will be overturned and that all Sikhs will be permitted to wear turbans while serving customers sandwiches and soup.

"I would like to have a public apology from the company and a change in their policy. I know other owners of Subway shops and they have been discriminated against in the same way," Mr. Brah said. "The turban is my life, it's my religion. I've had it on since I was small and I don't want to be forced to remove it."

Mr. Brah's troubles began three years ago when a local Subway field representative visited one of the independently owned shops he operated in Edmonton, Westlock and other small towns near Edmonton to ensure he was complying with company standards. He said he was told that the turban "did not present a professional image" and that he was supposed to wear a black hat or visor. As a devout Sikh, Mr. Brah cannot cut his hair, and must cover his head.

Later, in a phone conversation, he said, a Subway representative referred to Mr. Brah's turban as a diaper. Subway has denied that the

comment was made.

Shirish Chotalia, his lawyer, said the company told him he could wear only the approved head coverings. "They said: 'The image your store portrays is affected by many factors and no one factor assures success, but it is staying on top of many things. Uniforms present a consistent, professional image for the chain,'" she noted, quoting from company correspondence.

A media spokesman with Subway's corporate headquarters in Connecticut said he could not comment on the case. "Generally, we have a dress code so there is a consistent look," Kevin Cane said. "Decisions about dress code are made in head office." He could not say whether the policy forbidding turbans extends to Subway franchises in Bahrain, Pakistan and other Muslim countries.

Mr. Brah complained to Subway about the dress code and asked for an apology. Instead, he received more reprimands. Finally, he said he had to sell several of his Subway shops after being found "out of compliance" on the issue of dress code. He now owns four shops.

He stopped serving customers and entered by the back door of the store, leaving day-to-day operations to his employees.

"I loved the business and now I feel I cannot be on the front line any more."

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