

# Sikh Truck Drivers Must Wear Hard Hats Instead of Turbans for Safety Reasons



Three Sikh workers who drive container trucks at the Port of Montreal argued that they had a right to wear a turban instead of a hardhat and that it was religious discrimination to bar them from entering the port's terminals without protective headgear. Originally, the drivers were allowed to stay in their trucks while containers were loaded, but this accommodation was eventually deemed not commercially viable because it increased the loading time. The court ruled that the turban-wearing Sikh truck drivers must wear hardhats in the workplace when safety standards require them. Although the court recognized that the hardhat requirement violated their charter rights, it concluded that safety should trump religion in this case. The port's rules were justified because they protect workers from head injuries. 'The risks are not lower because the claimants are Sikh and wear turbans,' the court explained. 'The safety obligations of the defendants are not less stringent, either, towards the claimants than towards other workers' [*Singh c. Montr al Gateway Terminals Partnership (CP Ships Ltd./Navigation CP lt e)*, [2016] QCCS 4521 (CanLII), Sept. 21, 2016].