

In landmark ruling, El Al ordered to end policy of asking women to move seats

Holocaust survivor Renee Rabinowitz wins suit against Israel's national carrier over flight attendants' request she change places after ultra-Orthodox man refused to sit beside her

BY RAOUL WOOLLIFF | June 22, 2017, 6:08 am |

Israel's national carrier, El Al, can no longer accede to the requests of ultra-Orthodox passengers not to sit next to women, a Jerusalem court said Wednesday in a landmark ruling.

"Under absolutely no circumstances can a crew member ask a passenger to move from their designated seat because the adjacent passenger doesn't want to sit next to them due to their gender," Jerusalem Magistrate's Court Judge Dana Cohen-Lekah said in her ruling. "The policy is a direct transgression of the law preventing discrimination."

El Al has been known to regularly ask passengers to move seats at the request and sometimes demand of ultra-Orthodox men who refuse to sit next to women. Wednesday's ruling ends years of uproar over the policy led by rights groups who say it is discriminatory.

Cohen-Lekah agreed with the Israel Religious Action Center, which brought the suit, in ruling the practice was illegal.

The chief plaintiff in the case was 81-year old Holocaust survivor Renee Rabinowitz, who sued the airline for discrimination after a flight attendant asked her to move seats on a flight in December 2015.

Rabinowitz, whose family fled the Nazi occupation in 1941 and who grew up Orthodox in New York and now lives in Jerusalem, had gone to visit family in the US. On the flight back home to Israel she was asked by an El Al flight attendant to move seats at the request of the ultra-Orthodox man in the window seat, next to the seat she had been assigned.

She moved without a fuss — "I had never been on a trip where a whole hullabaloo happened," she

told The Times of Israel in a [March 2016 interview](#) — but then thought about it again at the end of the flight, when she happened to speak to the pilot.

Rabinowitz, who has bad knees, was waiting for all the passengers to disembark, after which she would be taken by wheelchair through the airport. When the pilot emerged from the cabin, she started a conversation with him.

“I said, ‘Why do you do this? It’s not right?’ and he said, ‘It’s not the staff, it’s not us, it’s the board of directors.’ Meaning, if he’s correct, it’s apparently a practice they’ve decided on,” said Rabinowitz.

She later related her experience to Anat Hoffman, executive director at the Israel Religious Action Center, the legal advocacy arm of the Reform Movement in Israel, who filed the lawsuit in her name.

El Al argued in court that it opposed any form of discrimination against passengers, and that its attendants “are on the front line of providing service for the company’s varied array of passengers.”

IRAC had initially demanded NIS 50,000 (\$13,000) in compensation from El Al for Rabinowitz, arguing she was pressured into moving and that it was degrading. El Al offered \$200 off Rabinowitz’s next flight, insisting the flight attendant made it clear she wasn’t obliged to move.

In Wednesday’s ruling, Rabinowitz was awarded NIS 6,500 but said the case was not about the money.

“I’m thrilled because the judge understood the issue,” she [told The New York Times](#). “She realized it’s not an issue of money; they awarded a very small sum. She realized it’s a matter of El Al changing its policy and that’s what they’ve been ordered to do.”

Jessica Steinberg contributed to this report.