



From cold hearts to hot wheels - the monthly round up of weird and wonderful employment law news

By **Dónall Breen** - 27 March 2019

Every month, we take a look at the weird and wonderful employment law news from around the world, with a tongue in cheek assessment of what has kept our fellow workplace lawyers busy.

We start this month with a case from Ghana where a female employee was delivered some bad news, as some good news was being delivered quite separately. The firefighter was in labour with her baby girl when she received a phone call from her employer saying that her pregnancy was “offensive”, and her employment was being terminated with immediate effect. A follow up letter stated that the lady was in violation of the Ghana National Fire Service Conditions of Service which prohibited female firefighters from becoming pregnant in their first three years of employment. The decades-old rule, which was established when the fire service was formed in 1963, seems to make some leaps of logic when it comes to the private lives of their workers. The employee has taken a legal case against the fire service and, thankfully, the news report states that her baby girl is healthy and well.

Also not a huge fan of children is the UK school teacher who was suspended this month after dragging a difficult pupil along the floor by their hair. In a case that made the rounds in the employment law world, a tribunal ruled that suspending the employee was justified. Typically, employers need to be careful about suspending employees as it is generally not seen as a ‘neutral act’ and is, in fact, more akin to disciplinary action. Nonetheless, the tribunal in this case thought there was clear circumstances justifying the action.

Having more success in the courts is a man from the Bay Area of California who was awarded a whopping \$8million dollars after his claim for whistleblowing discrimination was upheld. However, the latest ruling in the case was actually a tactical defeat for the employee who was initially awarded \$11million by a jury when he won a case saying he was dismissed for blowing the whistle on bribery in the medical device company.

More news coming out of America is of the police officer who was fired after posting about a traffic stop on social media. The blue line

influencer posted a video showing him saying, amongst other things, that the motorist's actions were "priceless" and "bye, Felicia". After a review by his superiors, the context and content of the video were found to be racist and he lost his job.

Facing similar problems is an employer in London who was told to pay a trainee employee almost £16,000 after it was found he had been racially discriminated against. The black employee was suspended without pay just five days into his employment after his employer accused him of consuming and distributing illegal drugs to his colleagues. He had in fact been using off-the-shelf caffeine supplements.

Finally, a large supermarket in Ireland is counting the cost of dismissing a female worker for taking a €6.74 pack of toy cars from the shop for her upset 18-month-old baby boy. The employment judge found that this was a case of a "a customer who forgot to pay, as opposed to a shoplifter trying to avoid paying for an item". The office worker with the supermarket chain was on a day off on Sunday and was doing a quick shop on her way home from Mass. The judge noted that as the mother was paying for her goods at the till "she was clearly struggling with her upset child" and simply left the shop. Presumably in a full-sized car, but the article wasn't clear. Therefore I will speculate it was in her new HotWheelz motor.

All in all, it was a pretty quiet month for the employment lawyer. It's as though the media is focused on something else happening right now that is soaking up all the attention. However, to borrow a phrase, we will continue to deliver strong and stable advice to our clients to navigate these choppy waters. From all of us here at GQ|Littler, enjoy being glued to the news over the next few weeks.