

## Employment Law

When it comes to employment law and your job, do you know your rights? We've compiled 5 unusual claims of unfair dismissal in the UK. Can you guess which ones were successful and which were thrown out?

ANSWERS CAN BE FOUND AT THE BOTTOM OF THE PAGE!

# Quiz

### 1. THE MYSTERIOUS THEFT OF THE MUFFIN

Many companies offer staff meal allowances these days, but how can you be sure on what you're actually allowed to eat?

Back in 2011 a café assistant fell foul of this predicament. His employers introduced a new staff meal allowance policy, which outlined what staff could eat, but specifically said no chocolate or cakes were to be eaten as part of the allowance.

One morning, the employee decided he would have a muffin for breakfast. Whilst taking his muffin back to his break room, he entered the lift with his boss – the keen eyed boss realised the employee was holding a muffin.

The following day the boss asked the employee if he had in fact consumed said muffin – the employee obviously answered yes.

The employee was then **dismissed** from his job after being **accused of theft** of the muffin.

Was this a case of unfair dismissal or did the employee steal the muffin?



### 2. TOO OLD FOR PRIME TIME?

If you want to appeal to a younger audience, do you need a younger presenter?

Longstanding presenter of BBC's Countryfile, Miriam O'Reilly, was dismissed when the show moved to prime time. She was 51 at the time and three other female presenters, aged in their 40s and 50s, were also dropped. O'Reilly had worked for the BBC for 25 years before she was sacked.

She took the BBC to an employment tribunal for age and gender discrimination. What happened?

### 3. WAS IT TOO DARK IN THE NIGHT GARDEN?

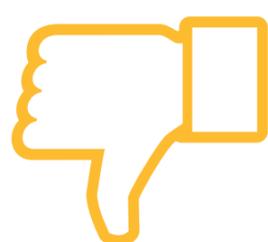
Have you ever wondered how the people inside character costumes actually see?

An employee who played one of the Tomliboo characters from 'In the Night Garden' was allegedly sacked after complaining that he could not see out of his animatronics suit.

He claimed the suit was faulty and that the camera on the inside of his suit that allowed him to see kept cutting out. He was even hospitalised following several injuries while performing on the show.

The company alleged that there were two other ways to see out of the suit: a second camera feed and a hole through the mouth.

Was his case successful?



### 4. DO YOU KNOW WHO YOUR 'FRIENDS' ARE?

Should what people say on their personal social media accounts be used against them?

An employee found out the hard way that the answer is: it can be. The employee wrote;

“ I think I work in a nursery and I do not mean working with plants ”

as her Facebook status. The post was followed by similar comments from other colleagues, some using explicit language.

The company sacked the employee after Facebook 'friends' and colleagues reported the post to management. It was claimed that the employee's post had the potential to **damage relationships** with an important international client.

Should she have been fired or should she be allowed to voice her opinion to her 'friends'?

### 5. 50 SHADES OF DISMISSAL

No matter what your job is, you should still be allowed to publish racy novels online, right? How about if the novel included your students?

A teacher of year 11 pupils did just that. After self-publishing her novel online, it attracted national attention. The teacher was **sacked** after the novel was found to include the names of several teachers, five of her students (referred to as 'her favourites') and the name of the school.

The teacher claimed that the novel was an idea created by the head teacher of the school that was supposed to be an innovative way of getting her pupils interested in their work.

Despite protests from pupils and parents alike, the teacher was sacked for **gross misconduct**.

Was this unreasonable?



# Answers.

1.

SUCCESSFUL claim of unfair dismissal.

2.

SUCCESSFUL on age discrimination grounds but not on sex discrimination.

3.

The employee was UNSUCCESSFUL in his unfair dismissal case.

4.

Employee claim of unfair dismissal was SUCCESSFUL.

5.

She was UNSUCCESSFUL in her unfair dismissal case, largely because the school was named.

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