

YOUR WEEKLY BULLETIN OF WIT AND WONDER



BITE IT BACK!

Dooooon't say that! Verbal car-crashes in interviews...



WHY YOU SHOULD KEEP MUM

A nursery nurses a bad outcome in a tribunal...



CITRUS COLOSSUS

A fruity fact to sweeten your day...

YOU DON'T SAY THAT!

Spring is a time when a lot of people seek out pastures new and the HR office is busy with applications. Turns out the statistically best time to nab a new job is January or February. So if you're off to an interview this week you may have it slightly tougher than you'd got there a fortnight ago.

Which means you have to brush up on your techniques. I wondered what the generally accepted Worst Things To Say In An Interview list looks like and so, after a bit of research, the following is the generally recognised list of things NOT to say at an interview.

1. I'm going to be needing this week off... and this one... and this one...
(Doesn't scream commitment, does it?)
2. Where do I see myself in five years?
In YOUR job! *chuckles winningly*
(No - you don't come across as cheekily ambitious. You come across as borderline sociopath.)
3. I hated my last boss... *(See above)*
4. Nope. I don't have any questions.
(Or maybe you just don't care...?)
5. So, when do I start? *(Calm down. They want an employee, not a Labrador puppy.)*
6. I'm not really a people person. *(An absolute no-no unless you're applying to be warden of a deserted island, overseeing puffins.)*
7. I really hope I get this job... I really need it. *(Desperation is never a*



But you know, here at WG Towers, we thought these were pretty tame. There are far, far worse things to say in a job interview. Here's our alternative list...

1. Do you pay in cash?
2. Is it OK if I bring my children in on a Thursday?
3. I don't generally believe in cake.
4. Can I suspend a dream-catcher over my desk?
5. I'm not at all sure about this carpet.
6. You smell like my mother.
7. My spirit guide tells me this is the place I'm meant to work.

Can you do any better/worse? What's the worst thing you've ever said or heard in a job interview? Do tell us over on our Facebook page.

A BUMP IN THE ROAD

And speaking of bad choices in an HR environment brings me to the case of Topping v Stepping Stones Nursery Ltd in which the Employment Tribunal considered whether a pregnant employee was unfairly dismissed and subject to discrimination because of her pregnancy.

Ms Topping's employment began on 24 February 2020. In early March 2020 she informed her line manager, Ms Costello, that she was pregnant. It became apparent that the owner of the company, Ms Mercer, was not pleased about the news and had made comments as to whether Ms Topping would keep the baby and whether it would be a good idea.

As the global pandemic hit the UK, Ms Topping became anxious about the situation and questioned whether she should be self-isolating. Following a conversation with her managers it was agreed that Ms Topping should take sick leave and be paid statutory sick pay.

The next day Ms Topping was informed that her hours would be reduced from 37 to 20 hours a week owing to the decreased number of children coming into the nursery due to the pandemic. She was asked to immediately sign a document to confirm this. This letter was not a standard letter and had been typed up in haste by Ms Costello. The letter told Ms Topping that she may be furloughed and warned her that she may have to pay back any money received from the furlough scheme. This information was misleading and false.

Ms Topping was put on furlough and paid 80 per cent of her wages for 20 hours a week, despite the reference date for the calculation of furlough pay being 19 March 2020, a time when she was working 37 hours. No other employee suffered a reduction in hours or pay.

On 20 April Ms Costello informed Ms Topping that she was being made redundant. There was a short conversation but no mention of a selection process or any criteria which might have led to Ms Topping being selected for redundancy. The tribunal saw evidence, dated 19 April, of a selection process, but the document's metadata confirmed that this document was backdated and was actually written on 24 April, after Ms Topping had already been made redundant.

Ms Topping filed a claim in the Employment Tribunal for automatic unfair dismissal, detriment due to pregnancy, and pregnancy/maternity discrimination.

The ET found that terminating Ms Topping's contract and reducing her working hours were a 'pregnancy-related detriment'. The judgement states that '[t]hey were acts of unfavourable treatment and because of [Ms Topping's] pregnancy. The company has not shown any other reason for them, and the tribunal drew inferences from the [employer's] failure to bring evidence of its reasons for such conduct to the effect that the [employer] was either unable or unwilling to explain its actions'. Her claims for automatic unfair dismissal and pregnancy discrimination were also successful.

The case highlights the importance of following the correct procedures when making redundancies. It also reminds employers about the nine protected characteristics listed in the Equality Act 2010. The protected characteristics are as follows; age, gender reassignment, being married or in a civil partnership, being pregnant or on maternity leave, disability, race, religion or belief, sex, and sexual orientation. A redundancy will be automatically unfair if an employee was selected for redundancy because they possessed one of the above characteristics. Employees who are pregnant should also be given first refusal on any suitable alternative vacancies.

EVENTS SEASON
2021

MAR 22
Mental Health Masterclass

JUL 19
Practice Makes Perfect Masterclass

OCT 6
Settlement Agreement Masterclass

NOV 23
Litigation Lessons Masterclass



FANTASTICAL FRUIT



According to Sky news, Chahi Ariel spent a year coaxing the fruit into enormity. Thanks to the pandemic it could not be verified until last month so it's been kept in the freezer and now looks, to be frank, a little bit like roadkill.

But it WAS verified and is now in the Guinness Book of Records, beating the previous record holder - a 250g strawberry grown in Japan.

Ariel said he jumped up and down, laughing and singing when he got the news.

If only we could *all* find such joy in a piece of fruit...

If you find yourself stuck for something to say at any point this

week, I urge you to say this: 'The world's largest strawberry weighs 289g. It's made an Israeli farmer laugh and sing.'

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