

YOUR WEEKLY BULLETIN OF WIT AND WONDER



AND...BREATHE...

And other annoying advice from your wrist.



THE 70S CALLED

They want your workplace banter back.



YOU GO, GIRL! (AHEM, CAPTAIN)

Right to the ends of the earth. Serious respect for Polar Preet!

YOUR HEART APPEARS TO HAVE STOPPED

As long term followers of this newsletter will know, I don't really do New Year's resolutions, but there's no doubt that January puts a bit of fitness resolve in your step. Or your 10,000 steps. Isn't that the minimum we're meant to be doing?

Of course, you'll need to be carrying some kind of device to measure how many steps you've done. For many of you it'll be a smart phone attached to a FitBit or an Apple Watch, which gives you handy little read-outs and visuals for how well you're doing.

Perhaps you're one of those people who likes to triumphantly shout: 'I've closed all my rings!'^{*}

If you're not, you'll surely know someone who is.

Your Apple watch or FitBit (or similar gizmo) will also offer up badges, and medals and cheery encouragement, like: **Keep going - you're nearly at your target!**

It also sometimes suggests urgent action. Out on a recent family walk, my daughter jumped over a log. Her watch asked her whether it should call the emergency services. The AI equivalent of shouting: **'HAVE YOU HAD A**



Another friend was advised his blood pressure reading was so low he might be about to go into cardiac arrest. Turns out his strap was a bit loose...

Undeniably, some *have* been saved by watches picking up serious health issues, later confirmed and acted upon by doctors. But I resist the tech watch. It still have the type which, like a discreet waiter, only fulfils my need when I deliberately look at it. That being *the time*.

Because there are enough people to nag me in my life without a gadget earnestly pressing me to: **BREATHE! One minute of mindfulness can help reduce your stress levels! Or: STAND UP! STAND UP TO REACH YOUR STANDING UP GOAL!**

I don't need a virtual medal for standing up. It's no better than one of those HERO stickers you got for not biting the dentist when you were four. And being urged to think about my stress levels is... extremely stressful. Also, at three minutes to bedtime, my tech watch-wearing buddies have been known to get the entreaty: **You're SO close to meeting your target for today! A six minute walk around the block will win your badge!**

It's like having a hyperactive school prefect hanging onto your arm, 24 hours a day. I'm having none of it! So worked up now, my heart's racing. Now... if only there was a way to check my blood pressure...

^{*}Well, stop it!

Are you a fan of New Year's Resolutions? Will you be putting your smart watch to the test? Let us know over on our Facebook page.

ANGRY BIRDS

Speaking of unwanted interjections brings me to the case of *Anca Lacatus v Barclays 2021* in which the claimant, a junior banker at Barclays Bank, claimed sex discrimination against her boss for repeatedly using the expression ‘birds’ in the workplace. The case led the question; can banter in the workplace amount to discrimination?

Ms Lacatus claimed that her manager, Mr Kinghorn, referred to a female employee as a ‘bird’ in February 2018. She claimed that she immediately told him he should not use that phrase, but that Mr Kinghorn continued to use the expression, making Ms Lacatus feel uncomfortable. Mr Kinghorn also said that ‘she should not report him to HR’.

Mr Kinghorn did not dispute that he had used the phrase ‘bird’, but disputed the amount of times he had been accused of using it, suggesting that he had done so on perhaps two occasions but stopped when Ms Lacatus had made him aware of how it made her feel.

In order to establish whether or not Ms Lacatus had been directly discriminated against, the Employment Tribunal (ET) first had to determine whether Ms Lacatus had been treated less favourably (i.e. had she been offended by Mr Kinghorn’s use of the expression ‘birds’, and did its use accordingly put her at a disadvantage?); and secondly whether that was because of her sex.

The ET heard evidence that Ms Lacatus had objected to Mr Kinghorn’s use of the word the first time he used it. Mr Kinghorn had continued to use it in what the judge described as a “rather puerile attempt to be ironic”. The ET accepted that Ms Lacatus was offended by the use of the word and “ought not [to] have been expected to appreciate that derogatory language can be used in an ironic manner”. The judge said that the language used was derogatory and “plainly sexist” and amounted to something that a reasonable employee could consider to be a disadvantage.

The fact that the term was used to refer to women meant there was no doubt that the comments were made because of Ms Lacatus’ sex. Despite the fact that Ms Lacatus had not immediately raised the issue as a formal grievance, her claim for direct discrimination succeeded. The ET reasoned that Ms Lacatus delayed raising the issue of Mr Kinghorn’s sexist language because she was in a junior position within the company and was worried that raising the issue could damage her career.

The case highlights that jokes and banter, despite their innocent intent, can constitute discrimination. This is still the case even where the person who is disadvantaged by the comments fails to make a strong objection. Employers should be alert to the fact that some employees, due to their position, may be too afraid to protest against inappropriate behaviour, and should implement policies and procedures to help employees feel comfortable speaking up.

EVENTS SEASON

2021

FEB 2
HR Hangout –
Challenges for HR in
2022



GO, POLAR PREET!



So we were all inspired to read on the BBC website that the first woman of colour, army officer Captain Preet Chandi, has just walked to the North Pole.

Derby-born Preet (known as Polar Preet on social media) trekked 700 miles in 40 days in 60mph winds and temperatures as low as -50, while hauling a 90kg sled.

If just being female is enough, we’re happy to share in the general glow of achievement. Any Asians among us can also bag some of it. As can anyone who has a relative within a

You'll know that WG prides itself on its high achieving female staff (and its high achieving male staff too, but I've got a theme going here!).

Any plans among us can also say some of us can anyone who has a relative within a five mile radius of Derby. And *none* of us will feel in *any way* inadequate as we try to complete our 10,000 steps on a chilly trot through the park.

Check out the details on the [BBC website](#) or follow @PreetChandi10 on Twitter.

And then STAND UP so you can reach your STANDING UP TODAY goal!

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