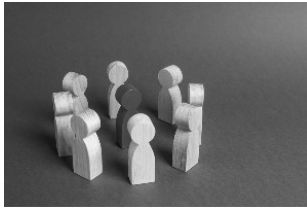


YOUR WEEKLY BULLETIN OF WIT AND WONDER



DINNER REPRISE

Could you live like Posh - on the same dinner EVERY NIGHT?



UNCONSCIOUSLY UNJUST..?

A curious and complex case hits the tribunal.



JUST THREE WORDS: NO. MORE. SCORES.

Why are Wordlers so weird?

JUST ONE MEAL

You can only eat ONE evening meal for the next twenty-five years. What's it going to be?

If you're Victoria Beckham (and I have it on good authority that she and David are regular readers*) then the answer is simple. Grilled fish and steamed vegetables.

Because according to podcast *River Cafe Table 4* this week, Posh has eaten exactly this for a quarter of a century.

"The only time she's probably ever shared something that's been on my plate was actually when she was pregnant with Harper and it was the most amazing thing," said David.

"It was one of my favourite evenings. I can't remember what it was but I know she's not eaten it since."

Well, we'd all like to be Victoria Beckham, wouldn't we?** And if I could eat it with David Beckham every evening I might be willing to stick with a single meal.



I felt sure everyone else here at Warner Goodman Towers would feel the same*** - so I asked what that meal would be. And here are some answers:

Sarah (me): Roast dinner. The Christmas kind with all the trimmings - pigs in blankets, Yorkshire pudding, sprouts, roast potatoes, the lot.

Howard: Spaghetti carbonara...made by Giorgio Locatelli of course...

Louise: Pasta carbonara. (*Howard too...? It must be a litigation thing...*)

Sam: It has to be lamb kleftiko for me!

Natasha: Indian curry!

*They aren't

** Not everyone, apparently

*** They didn't

What meal would you choose to eat for the rest of your life? Let us know over on our Facebook page.

SHUT DOWN AT YOUR PERIL

And speaking of instinctive choices brings me to the complicated case of *Ms J Nyeko v AIG Asset Management (Europe) Limited* in which the Employment Tribunal (ET) considered whether a

EVENTS SEASON

manager victimised an employee by “shutting down” her complaint of unconscious bias.

Ms Nyeko began working for the company in 2018 as an apprentice. In January 2020, issues arose regarding her performance and timekeeping. Ms Nyeko’s line manager, Ms Monaghan, told her “she expected to see more output from her” and on one occasion the Managing Director emailed Ms Monaghan noting that Ms Nyeko had arrived late, disappeared for most of

the morning then went on lunch. Ms Monaghan responded that she was documenting everything and she was not sure how long Ms Nyeko would last.

In a catch up meeting, Ms Nyeko told Ms Monaghan she felt there was an “unconscious bias” against her in the team as she was not included in doing interesting work. She said she felt the team would benefit from unconscious bias training and that she hoped to set up an internal Employee Resources Group to provide unconscious bias training and support black employees. Ms Monaghan asked for examples of unconscious bias and whether Ms Nyeko thought that Ms Monaghan had displayed bias. Though Ms Nyeko did not specifically refer to race discrimination the ET found that Ms Monaghan understood that Ms Nyeko was referring to race discrimination.

Ms Monaghan denied that she had shut down the conversation about unconscious bias telling the ET, “I never said I had not seen any discrimination at AIG – I said in my [team] I had not seen it. I had no intention of closing it down... I was thinking very seriously about it. I asked for input.” In an email to Ms Nyeko summarising their meeting, Ms Monaghan said “While I have not experienced/seen bias on the team, I now understand your perception.”

Shortly after this, Ms Nyeko went to visit her family in Uganda. During her stay she lost her visa and the company agreed to fund a fast track re-entry visa. Upon her return, she was invited to an investigation meeting to discuss her extended absence and concerns that she had been dishonest when claiming she had completed a full week’s worth of work while abroad. The investigation concluded that Ms Nyeko had been dishonest and she was dismissed for gross misconduct. She subsequently brought a claim against the company for victimisation, wrongful dismissal and unlawful deduction from wages.

The ET found that Ms Nyeko did a protected act when she raised the issue of unconscious bias with Ms Monaghan and suggested that the team needed unconscious bias training. The ET found that Ms Monaghan’s response had been “dismissive” in tone. She had challenged Ms Nyeko to provide examples of discrimination, had contradicted her allegation by saying the team was diverse, and failed to look into the matter further or discuss it again. The ET concluded that Ms Monaghan had “both ‘put down’ and ‘shut down’” Ms Nyeko, and that a reasonable employee would feel disadvantaged by having their serious concerns dismissed in this way.

The ET concluded Ms Nyeko had also been victimised by the investigation meeting on her return to the UK. At this meeting Ms Monaghan and another senior manager had been “antagonistic and aggressive” towards Ms Nyeko and had alleged that she had not been away on holiday and had actually been in the UK. The ET found there was no justification for such an allegation and that the hostility towards Ms Nyeko during the meeting was connected to Ms Nyeko’s protected act.

The ET did find in favour of the company regarding the claim of wrongful dismissal. Ms Nyeko had claimed that she had worked remotely for five days when awaiting her visa in Uganda, but the evidence indicated she had only done one day’s work. The company was therefore entitled to summarily dismiss her.

A remedy hearing was scheduled for early 2022.

When an employee claims they have experienced discrimination in the workplace, some employers may feel defensive and try to deny this is the case. This case reminds employers however, of the need to take special care when handling discrimination claims. Employers who fail to take such complaints seriously, or try to “shut down” the employee who raised them, risk a victimisation claim at the Employment Tribunal.

2021

MAR 8
Peace of Mind
Members
Seminar

MAR 22
Mental Health
Masterclass

JUL 19
Practice Makes
Perfect
Masterclass

OCT 6
Settlement
Agreement
Masterclass



WORDLE YODEL



Well, good for him. And apparently, he’s brought a lot of joy into the world.

Except for people like me.

Who JUST WISH PEOPLE WOULD STOP POSTING THEIR SCORES ON FACEBOOK!

I mean... really?! WHY? Do I post a filled in crossword or a completed word search every day? It’s the puzzler’s equivalent of compulsively Instagramming their lunch.

The inventor of WORDLE concocted

his simple little digital word game for fun during lockdown. News this week is that it's now been bought by

the New York Times for a seven figure sum.

For those of us who don't do it, it's like a secret club in the school playground where everyone's trumpeting a new language and you haven't learnt it. SO annoying.

I know what you Wordlers are saying now. I KNOW.

SIMPLY
FIGURE
WORDLE

If I do, I'm going to post a frenzy of scores, just to get you back!

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