

YOUR WEEKLY BULLETIN OF WIT AND WONDER



WHOSE FACE IS YOUR FORTUNE?

We ponder on portraits we'd like to see on our cash.



NO BEDSIDE MANNER

How an MD refused to allow a mum to work remotely while supporting her son in his fight against leukaemia.



JUMP RIGHT IN

A first day of work scenario most of us won't have to manage... under water, fighting to escape...

NOTED PEOPLE

Enigma Code breaking legend Alan Turing has arrived on £50 notes this week.

As pleased as I am to see Turing on our banknote (and it's all very appropriate during Pride Month), I do still ponder on who I would like to be able to crumple into my palm as I wait at a bar, if I had the choice.

(And yes I know NOBODY WAITS AT BARS these days and if they do they're usually paying by APP... just go with me on the nostalgia, here!).

Because it's hard to let go of a fifty and it might be easier to bear if you could glance at someone you admire or adore in the last few seconds before you hand it over. Also, if you get given one for a birthday or something, how much lovelier if the face on it is a favourite of yours.

So, obviously, my chosen banknote face would be Chris Martin from Coldplay. I know it probably *should* be Greta Thunberg and I'm not saying Chris is more deserving than Greta (*although his lyric: 'And it was all yellow...' back in the early noughties, was quite prescient of the future state of the ecosystem*).

No. I'm just talking about what I LIKE, ALRIGHT?



In which case, who would YOU put on a banknote for your own shallow gratification? I asked around WG Towers and learned a thing or two...

Natasha responded: 'Well, my serious answer would be that I would encourage everyone to look at the Banknotes of Colour campaign. More frivolously, I think it would have to be someone you wanted to look at – re-watched Meet Joe Black last night so obviously Brad Pitt springs to mind, but otherwise I think they should just pull a name from a hat so that people in the future have a look and think "Who is that?" and it's "Vera, age 82, from Rotheram" immortalised forever!'

Howard mused: 'How about Helena Bonham Carter? She has played the Queen, after all, so knows the ropes.'

Karen: 'David Attenborough comes to mind for some reason. Just because!'

Others, who shall remain nameless (and for good reason) suggested other Great British icons:

- Bruce Forsyth
- Scarlett Moffat
- Keith Harris and Orville
- Themselves
- Their kids
- Their dogs
- That bearded jester guy from 1970s TV show *Rentaghost*

Perhaps we should be glad none of us have the deciding vote. And never speak of this again.

Who would you banknote up? Please tell us over on the Facebook page.

TOXIC TREATMENT

And speaking of taking note, here's the rather unedifying case of *Mrs L Hodgeson v Martin Designs Associates Limited 2021* for you, in which the Employment Tribunal (ET) considered whether a female employee who was denied permission to work remotely from her son's hospital bed was the victim of sex discrimination.

(Stand by for some jaw-dropping insensitivity.)

Mrs Hodgeson worked for her employer as an office manager until her resignation in July 2019.

In early November 2018, Mrs Hodgeson's son was diagnosed with an aggressive form of leukaemia. She informed Mr Martin, the managing director, that she would be with her son as much as possible to support him through his chemotherapy treatment and requested that she be allowed to work flexibly. Mr Martin expressed his concern for Mrs Hodgeson's son and suggested a 50/50 split of working from home and the office.

Mrs Hodgeson explained that she could not attend the office as she could not leave her son, but reiterated her desire to keep working. Mr Martin then recruited another person to take on some of Mrs Hodgeson's work. When Mrs Hodgeson asked why she could not continue with her work Mr Martin said: "I can't ask you to do that Lorraine.". When she explained that she needed to work to pay for her mortgage and as something to do while at the hospital, the ET heard Mr Martin replied that he "didn't have an open cheque book". He told Mrs Hodgeson she would go on annual leave for two weeks and then on unpaid leave, and that her job would be there for her when her son had completed treatment.

In February 2019, Mrs Hodgeson submitted a formal flexible working request which Mr Martin denied, saying it would be "detrimental to the business". He then told Mrs Hodgeson that they had restructured the business to cover her work and that her role was no longer there. He proposed a settlement agreement and that the company and Mrs Hodgeson "go our separate ways".

Mrs Hodgeson appealed the denial of her flexible working request but the appeal was unsuccessful. She subsequently resigned.

The ET was critical of Mr Martin's treatment towards Mrs Hodgeson and found his denial of her flexible working request "was influenced by his belief that he knew best". Judge Wade stated that Mr Martin did not consider Mrs Hodgeson's views and "had a closed mind to the idea that she could fulfil all or part of her role remotely". This was in "stark contrast" to how Mrs Hodgeson's male colleagues were treated; many had previously been granted permission to work remotely.

The ET found that Mr Martin "would have accepted that a male colleague was best placed to know what he could and could not do in such circumstances and would have put arrangements in place". Further, Mr Martin's refusal to allow Mrs Hodgeson to work from home along with his "insensitive remark" about not having an open cheque book breached the implied term of trust and confidence. Mrs Martin's claims for direct sex discrimination and unfair dismissal therefore succeeded.

Mrs Hodgeson was awarded about £60,000, which included £5,000 in aggravated damages for sex discrimination.

This case reminds employers to deal with flexible working requests in a fair, non-discriminatory manner. Employers must give careful consideration to the employee's views and not make assumptions regarding their ability to work remotely.



PUTTING THE WIND UP



You know how it is when you start a new job and you have to do all that tiresome induction business; getting to know your colleagues, finding out where the facilities

Well... spare a thought for new workers in the offshore wind farm industry.

In order to travel out to the turbines, 75 miles into the North Sea off the Yorkshire Coast, they first have to learn how to escape a crashed helicopter, underwater in a massive tank.

That's all. No biggie.

This caught my attention when I happened to browse the [Science & Environment](#) bit of the BBC website (always worth a gander!) about the UK's wind farms.

The whole 1.48 minute video is worth a look - but check out the opening few seconds for a bit of workplace training perspective!

are... doing a bit of online Health & Safety training.

What's the most extreme bit of work-related training you've ever had to do? Please tell us on the [Facebook](#) page.

Can you trump the underwater helicopter escape session..?

Peace of Mind

Do you want to save your business time and money, and reduce stress?

"A true class act; every company should have them on their speed dial!"

Contact us today on

023 8071 7717 or email peaceofmind@warnergoodman.co.uk to find out how **Peace of Mind** can help you.

Are you looking for us on Facebook?

If you haven't liked us already, follow the link below...



... And after liking us on Facebook, why not follow us on Twitter?



Sarah Whitmore
Partner
023 8071 7462



Howard Robson
Partner
023 8071 7718



Emma Kemp
Associate Solicitor
023 8071 7486



Natalie Rawson
Associate Solicitor
023 8071 7403



Louise Bodeker
Solicitor
023 8071 7448

DISCLAIMER

While every effort is made to ensure that the contents of these newsletters are up-to-date and accurate, no warranty is given to that effect and Warner Goodman does not assume responsibility for their accuracy and correctness. The newsletters are provided free of charge and for information purposes only. Readers are warned that the newsletters are no substitute for legal advice given after consideration of all material facts and circumstances by an experienced employment lawyer. Therefore, reliance should not be placed upon the legal points explained in these diaries or the commentary upon them.

UNSUBSCRIBE

If you do not wish to receive future editions of this newsletter, please simply reply to the e-mail and include the word "Unsubscribe". Click [here](#) to view our Privacy Policy on how we hold and process your data.

COPYING THESE DIARIES ON TO OTHERS

While the author retains all rights in the copyright to these newsletters, we are happy for you to copy them on to others who might be interested in receiving them on a regular basis. You are also welcome to copy extracts from the newsletters and send these on to others who may be interested in the content, provided we are referenced as the author when doing so.