



News › Business › Business Comment

Can you sue your employer if you are bored at work?

Frédéric Desnard, who's suing Interparfums in France for boredom, says he became a 'professional zombie'

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Being bored at work isn't in itself grounds to sue *Getty Images*

Are you sitting at your desk with nothing to do? I don't just mean you're twiddling your thumbs in the holiday season. I mean that your in-tray has been empty for months, you've hardly lifted a finger and you're bored senseless.

Are you what Frédéric Desnard, who's suing his former employer in France for boredom, says he became? Are you a "professional zombie"?

Desnard is suing his ex-employer, Interparfums, a fragrance company, for "bore out" and claiming €360,000 (£300,000).

He alleges that he was stripped of his managerial role and, instead, given tedious things to do, which were completely unrelated to his job.

This “descent into hell”, according to Desnard, left him “destroyed” with “serious depression”.

The tribunal was due to make its decision on 27 July, but the case has now been set for a new hearing.

So what’s the law on this in the UK? Do bosses have a duty to provide work for their staff?

Generally, employers don't have an obligation to provide work for the employee as long as they pay them their salary.

A duty to offer work might, however, arise where otherwise the employee would be deprived of the opportunity of earning commission.

An obligation could also arise if the employee needs to work to maintain their skills or public profile.

In one case the Courts held that an employer couldn't put a senior dealer in spread betting on garden leave (where there was no garden leave clause in the contract). The position was particular in that in order to maintain the skills for the job the duties needed to be regularly carried out.

The Courts though made it clear that where there was no work to be done the employer wouldn't have any obligation to provide it, even when the employee was adversely affected.

Supposing there is work available and the employer fails to provide an employee with work for a considerable period of time? The employee might possibly be able to argue that the employer has breached an implied term to provide work. The employer may also have breached an implied term of trust and confidence.

Where an employee is given demeaning tasks which have nothing to do with their job the employer could've breached their obligations too.

In certain circumstances an employee may be able to claim constructive unfair dismissal. The employee would need to resign swiftly as a result of a fundamental breach. Usually, only employees with at least two years' service can bring the claim. The maximum compensation award is the lower of 52 weeks' pay or £78,962.

There may be other potential claims to consider as well. But, unsurprisingly, being bored at work isn't in itself grounds to sue.