

Top 10 Outrageous 10th Annual Employment Law Cases

What were the Top 10 Most Outrageous Employment Law Cases from the last 10 years? After a tallying of the ballots, the winners are . . .

10. Drowning Your Problems



A former employee of a motivational coaching business in Provo, Utah filed a personal injury lawsuit claiming that he was a victim of waterboarding at the hands of his supervisor. The man claims that the torture happened to him at work and in front of other employees under the guise of a training exercise. He alleges that the supervisor said that it was being done to demonstrate that the sales staff should work as hard to make sales, as the employee who was being waterboarded was working to breathe. The former employee claims he suffered anxiety, depression, and sleeplessness and has required therapy for emotional trauma. His supervisor argued that the former employee did not complain about the incident until six weeks later after participating in a company water skiing retreat. We think the company may be in some "deep water."

9. Stop! In the Name of Love

A Pennsylvania man sued a local American Legion Hall for allegedly serving him too many drinks, which he said caused him to break into his ex-wife's workplace, shoot at her and her lover, and ram a police car. His wife then sued the company she worked for, claiming they should have prevented her from taking a co-worker as a lover. Both lawsuits were eventually dismissed. However, her claim, if successful, would have blazed new trails.



8. A Pension to Die For

The dead recently came back to live in Pennsylvania, when a woman who seven years prior, staged her death in order to cash in on her \$16,000 pension. All was going well, until the woman applied for Social Security benefits, alerting officials that either the dead are contacting the living, or

the woman was still very much alive. The faker was arraigned on charges that included theft and forgery, and released on \$25,000 bail.



7. Hanky Spanky

Two women pressed criminal charges against their boss for assault after they complained to police that he spanked them for mistakes on the job. Paul Levengood, an independent operator of Tasty Flavors Sno Biz was placed under arrest for two counts of sexual battery. The two 19-year-old complainants accepted the spankings because they "were brought up to respect anybody who is an authority figure." One of the women said she was "shocked at the incident but could not leave because she had no transportation." Hmm...bus pass or spanking, you make the call.



6. Unleaded or Loaded?

Cory Neddermeyer, a recovering alcoholic, was denied unemployment benefits despite his claim he was discriminated against when he was fired from an ethanol plant for drinking automobile fuel produced by the company. He argued that the company should not have provided the "opportunity" to drink ethanol alcohol that had spilled. According to Neddermeyer, he thought about this alcohol throughout the day and was curious about its taste and effects. After consuming what he thought to be 2 to 3 ounces of fuel, he was found in an incoherent state, rushed to the ER where his blood alcohol level tested at 9 times over the legal limit. A judge



ruled that he committed job related misconduct and denied him benefits. With gas prices the way they are, we don't expect to see ethanol on the happy hour menu anytime soon!

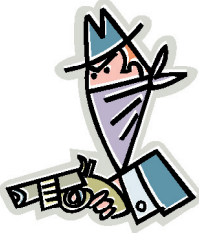
5. No Laughing Matter



At a British brokerage firm, if an employee reported late to work on Friday morning, the employee was given a costume to wear that was somehow related to a particular characteristic of the employee, including on occasion racial or ethnic origins. By way of example: a Welsh employee was given a Bo Peep costume to wear because of an association of sheep with Wales. Also, a Northern Irish Protestant employee, was given a Pope costume to wear.

While the firm maintained that this was a light-hearted practice, it is now being sued by a Jewish broker who was told to wear a Nazi uniform and to place a skull cap on top of the office television whenever a Jewish person appeared on CNN. Given the outrageousness of this practice, it is no wonder that this was voted one of the most outrageous cases.

4. Stress Relief Thief



An Illinois man, Richard Shick, blamed his employer not only for an alleged negative work environment, but he claimed work related stress led him to commit an armed robbery of a convenience store. The robbery took place when Mr. Shick was in a “highly stressed out state” after being told by the EEOC that, due to a backlog, his discrimination claim against his employer would not be investigated for approximately one year. Although Mr. Shick claimed he did not remember robbing the convenience store, he was convicted of that crime and sentenced to 10 years in prison. In the ensuing civil lawsuit against his employer, Mr. Shick claimed that stress caused by an abusive supervisor drove him to commit that crime. As outrageous as his claim was, a jury apparently believed Mr. Shick and awarded him over \$5 million for emotional pain and suffering and back pay. On appeal, the Court overturned the large damage award, but still allowed the case to go forward with a new trial.

3. Do You See What I See?

A federal trial court in Oklahoma ruled that two court



employees who were fired after reporting seeing a judge use a “penis pump” while presiding over trials failed to prove their hostile environment sexual harassment claims because they could not show that his masturbation was directed at them based on their sex. The court found that because the judge’s actions occurred in a courtroom comprised of men and women, his conduct was not aimed at one particular gender and, that because he was not aware anyone could see what he was doing, there was a lack of discriminatory intent. We’re relieved that there were no cameras in this judge’s courtroom.

2. A Rose is a Rose

A former radio disc jockey was fired after complaining about her allergy to another DJ’s perfume. After filing a claim with the EEOC for disability discrimination due to her allergy, she claimed she was retaliated against by her former employer. A jury agreed and awarded her \$10.6 million dollars in punitive and compensatory damages. Her claim stated that the perfume, a combination of lilac, rose, and other scents, caused her to lose her voice and take lengthy absences from work. We’re sure you would agree that something stinks here.



And the #1 Most Outrageous Case . . .

1. Can You Hold Please?

A former telephone operator at a Ft. Lauderdale, FL company recently entered into a workers compensation settlement due to an alleged repetitive motion injury. The repetitive motion at issue? The employee’s job was that of a phone sex operator. She claimed that her job required her to repeatedly stimulate herself to be more effective during phone conversations with customers. This case involved a settlement, not a trial, but this is arguably not the type of activity envisioned by most judges who find for employees with carpal tunnel syndrome.

