

The news that [Kent youth PCC Paris Brown has resigned after a Twitter row](#) and [two police employees resigned in 2012 for misuse of Facebook](#) (on the BBC website) suggests that employers are still having issues with employees' social media activities. We round up ten employment cases involving Facebook.

### **Facebook entry and YouTube video led to amateur model's dismissal**

*Gill v SAS Ground Services UK Limited ET/2705021/09*

Employers can use entries on websites such as Facebook and YouTube as evidence in disciplinary proceedings, as this case demonstrates.

### **Facebook page criticising employer did not justify dismissal**

*Stephens v Halfords plc ET/1700796/10*

Employees' entries on social media critical that are of their employer will not always justify dismissal, as this case demonstrates.

### **Abusive Facebook comments led to pub shift manager's dismissal**

*Preece v JD Wetherspoons plc ET/2104806/10*

In this case, an employee's inappropriate use of Facebook after a workplace incident led to her summary dismissal.

### **Employee who commented on Facebook that she worked "in a nursery" was unfairly dismissed**

*Whitham v Club 24 Ltd t/a Ventura ET/1810462/10*

An increasing number of tribunal cases involve employees making work-related comments on Facebook. This case shows that derogatory comments will by no means always justify dismissal.

### **Apple's dismissal of employee for adverse Facebook comments not unfair or breach of human rights**

*Crisp v Apple Retail (UK) Ltd ET/1500258/11*

In this case, one of the world's most prominent consumer technology companies, Apple, used its policies and procedures to dismiss fairly an employee who had made several Facebook posts that it considered could damage its reputation.

### **Call-centre worker fairly dismissed for offensive Facebook comments about colleague**

*Teggart v TeleTech UK Ltd NIIT/704/11*

A Northern Ireland industrial tribunal has provided a useful example for employers of circumstances in which it can be fair to dismiss an employee for offensive comments made about a work colleague on Facebook.

### **Sabotage of heterosexual employee's Facebook page to suggest he is gay was sexual orientation harassment**

*Otomewo v Carphone Warehouse Ltd ET/2330554/2011*

This decision is a reminder to employers and employees that it is possible for a heterosexual employee to be subjected to sexual orientation discrimination, even if the harasser knows that the employee is not gay.

### **Breach of contract of employee demoted for Facebook comments on civil partnership ceremonies**

*Smith v Trafford Housing Association [2012] EWHC 3221 (Ch) HC*

The High Court upheld a breach of contract claim against a housing trust that demoted a Christian manager who said on Facebook that holding civil partnership ceremonies in churches is "an equality too far".

### **Employee fairly dismissed over "Dante's Inferno" Facebook comments**

*Weeks v Everything Everywhere Ltd ET/2503016/2012*

The employment tribunal held that the claimant was fairly dismissed after making threats on Facebook to a colleague who had reported him to the employer for his frequent references to his workplace as "Dante's Inferno".

## **B&Q worker unfairly dismissed for Facebook comments about workplace**

*Trasler v B&Q Ltd ET/1200504/2012*

The employment tribunal held that the claimant was unfairly dismissed for comments on Facebook about his workplace, although his compensation was reduced by 50%.