The Highest Court in France Says You Don’t Have to Be ‘Fun’ At Work

You can’t be fired because a company doesn’t think you’re “fun” enough.



Frédéric Soltan I Getty Images
The Court of Cassation in Paris.

At least, that’s according to France’s highest court, The Court of Cassation, which ruled earlier this month that a man who was fired for not wanting to participate in certain company activities billed as part of their “fun” culture was wrongfully terminated, according to The Washington Post.

The man’s legal team said their client wasn’t seen as “fun” because he refused to engage in corporate events with large amounts of drinking. The man also claimed a work culture where

people did activities such as miming sexual acts, sharing beds with other employees at work events, and giving people uncouth nicknames, per the outlet.

A Google translation of the court documents characterized these acts as “practices advocated by the associates linking promiscuity, bullying, and incitement to various excesses.”

The decision says the man was fired in March 2015 for not embracing the company’s “fun” culture (calling it “professional incompetence,”) as well as being more rigid of personality, the documents claim.

The company in question is Cubik Partners, a management consulting firm. It did not respond immediately to a request for comment.

France is known for its pro-employee labor laws and well-known jokes about how it’s impossible to get fired there. That is also generally true for other countries in Europe, including Ireland, where Elon Musk’s Twitter has already faced a temporary injunction for firing an executive based there.

In this case, the court ruled that firing an employee for not doing the activities in question constituted a violation of “his freedom of expression,” and that it is a “fundamental freedom” to not engage in some sort of social activity.

The fired employee had asked for over $400,000 USD, which the Paris Court of Appeals rejected last year. This ruling turned over that court’s rejection in part, ordered the company to give the former employee $3,000 euros, and said it would look at his demand for damages at some point in the future, per Insider.

https://www.entrepreneur.com/article/440019