

The Employment Tribunal Strikes Back

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A pilot who provided a fake reference from a Star Wars villain has been ordered to repay his training costs

An Employment Tribunal has ordered a pilot to repay £4,725 in training costs after it emerged that he provided a fake reference using the name of a character from Star Wars – Mr Desilijic Tiure.

For those of us who are not Star Wars fans, this is in fact another name for the slug-like character Jabba the Hutt, the de facto leader of the Desilijic-Hutt Cartel.

In the case of [Francis-McGann v West Atlantic UK Limited](#), it transpired that not only had the pilot, Mr Francis-McGann, given a false reference from the Star Wars character, but had also lied about his employment history, claiming to have worked as a Captain when in fact he had only occupied the position of First Officer.

When the pilot was challenged by his employers, he initially denied such claims, but ultimately largely admitted them. The pilot was then offered the opportunity to resign by West Atlantic, which he did “with immediate effect”.

Subsequently, the pilot made a claim against West Atlantic for three months’ notice pay, being his contractual entitlement had he resigned with notice rather than “with immediate effect”. West Atlantic therefore counter-claimed for the recovery of his training costs.

In a damning decision, Judge Broughton dismissed the pilot’s claim for notice pay stating:

“...the meaning of the words “with immediate effect” is clear and unambiguous. As a result, the claimant must have known what he was agreeing to.”

Regarding West Atlantic’s counterclaim Judge Broughton concluded:

“The claimant had expressly confirmed in writing by a credit agreement... that such [training] costs were recoverable should his employment end within the first six months.”

As a further warning, the Tribunal indicated that it had considered making a costs order against the pilot.

It is perhaps an extreme example of the need for honesty by employees when it comes to references, but as Jabba the Hutt’s history might have shown, dishonesty really doesn’t pay.

For employment advice and information call solicitor [Christine Slevin](#) today.

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