

## DON'T SAY YOU'RE GOING TO QUIT UNLESS YOU'RE REALLY GOING TO QUIT



If you're not planning on leaving your place of employment, it's best not to go home early and tell people that you're quitting. A former TV reporter learned this lesson the hard way when he left the station after refusing to handle an assignment and later tried to return to work. The reporter had worked for WKYT-TV in Kentucky for nearly 25 years when he was promoted to Senior Reporter. Two years later, another Vice President of News was hired. The new VP took away the man's Senior Reporter title and reassigned him to the morning shift – though, less than two months later, he returned to the day shift, which he had worked for the entirety of his employment. The reporter expressed his concerns of the VP to the station's general manager, that he referred to the man as “old” or “old school” and was more invested in breaking news than the reporter's forte of human interest stories. In February 2008, the reporter wanted to cover an impending winter storm, but he was told to produce web stories and manage the station's automated system for reporting school and business closings due to weather. He stated that he was unfamiliar with the system and refused to do it, at which point the VP of News allegedly yelled in response. The reporter was upset by the VP's reaction, and, after he was unable to locate a superior to speak to, told the general manager's assistant that he was “going to quit” – although she later testified that the wording was a more definitive “I quit” or “I'm quitting.”



He said the same thing to at least two other people before leaving the station. At home, his wife tried to contact the station to let them know that her husband had not intended to quit and learned that he had been taken off the schedule. The general manager called to set up a meeting and reportedly responded negatively when asked by the reporter if he had lost his job. At the meeting's end on Monday, however, the man's alleged resignation was accepted. He was offered a severance but declined it. The man filed a complaint, alleging violations of ADEA (Age Discrimination in Employment Act) – he was 62 at the time – and the Kentucky Civil Rights Act, retaliation and breach of contract. The district court ruled in favor of the defendants, stating that the plaintiff could not prove discrimination because he had “voluntarily quit and walked out of” the station. Likewise, even if the man could prove that he was fired, the station's reason was legitimate – he had refused to do an assignment in an open meeting. Such a refusal violated his employment agreement, which also negated his breach of contract claim since he was the one who had breached a contract. The appeals court affirmed the district court's dismissal of all charges, but one judge dissented. The dissenting judge noted two things: the VP testifying in court that the man had no intention of quitting on the day in question, and the reporter asking the general manager if he had lost his job. This seems to show that the supervisors did not believe that the man had quit, which the judge held was enough to support an ADEA claim for a jury's consideration. Where can you find the most Media jobs? [Click here.](#)