

# DESNARD V. INTERPARFUMS, COUR D'APPEL [PARIS], APR. 23, 2018.



BOREOUT  
£36,000.00

## Summary

### PLAINTIFF:

Frédéric Desnard, a former manager at Interparfums S.A., based in Paris.

### EMPLOYMENT PERIOD:

Approximately 2010–2014.

### ALLEGATION:

Frédéric Desnard was initially brought on board for managerial responsibilities. However, as his tenure progressed, he found his role diminishing in significance. His tasks were downgraded to menial and insignificant duties, such as setting up the CEO's tablet or overseeing tradespeople at the residences of executives. As time went on, the volume of his workload continued to decrease substantially, often leaving him with very little to do for the majority of his workday.

This lack of meaningful work led to feelings of underutilisation and frustration, which eventually culminated in his decision to pursue legal action.

Desnard's case highlights the psychological impact of being sidelined in a professional environment, emphasising the importance of meaningful engagement and responsibility in the workplace.

### KEY LEGAL CLAIM: "BORE-OUT" & HARASSMENT

Condition described: The term "bore-out" describes extreme workplace boredom, named as the inverse of burnout—developed and popularised by Swiss consultants Peter Werder and Philippe Rothlin in 2007.

### DESNARD'S EXPERIENCE:

He reported feeling "destroyed," "ashamed" of earning a salary for doing nothing and described his time at the company as "a slow descent into hell".

### EFFECTS:

This prolonged boredom and marginalisation culminated in a nervous breakdown, depression, insomnia, and even an epileptic fit, prompting a seven-month medical leave. He was subsequently dismissed, officially due to extended absence.



### COURT'S FINDINGS & RULING

#### LEGAL FRAMING:

The Paris Court of Appeal ruled that subjecting an employee to ongoing monotony and purposeless tasks constituted "moral harassment" under French labor law.

#### CAUSAL LINK:

The court found a direct connection between the nature of Desnard's duties (or lack thereof) and the deterioration of his mental and physical health.

#### COMPENSATION AWARDED:

Desnard was granted €40,000 (approx. US\$45,000 or £36,000) in damages, significantly less than his initial claim of around €400,000.



**LEGAL PRECEDENT & APPLICABILITY UK LAW**

**NO DIRECT PRECEDENT:**

The Desnard case hasn't set binding precedent in the UK. French labor rules differ significantly from UK employment law.

**EMPLOYER AWARENESS:**

UK legal observers, however, caution that underload ("bore-out") can harm mental health and put employers at risk under broader duties.

**EMPLOYER DUTY OF CARE & H&S OBLIGATIONS**

**Health & Safety at Work Act 1974:**

Employers must ensure the health, safety, and welfare of employees, which includes preventing psychological harm.

**Management of Health and Safety at Work Regulations**

**1999:** Require risk assessments for factors like "monotonous or repetitive work" and adapting tasks to suit individuals.

Employers may risk breach if they ignore the harmful effects of purposeless work on mental health.

**MENTAL HEALTH & DISABILITY CONSIDERATIONS**

**Equality Act 2010:**

Mental health conditions may qualify as disabilities if they have a substantial, long-term adverse effect. Employers must avoid discrimination and consider making reasonable adjustments.

Employers must treat mental health on par with physical health, offering support and accommodations where needed.

**Harassment & Bullying Liability**

**NO FREE-STANDING BORE-OUT CLAIM:**

UK law doesn't recognise "mental boredom" as harassment per se. Harassment typically requires a protected characteristic under the Equality Act.

**Duty under Protection from Harassment Act 1997:**

Employers can be liable for persistent conduct causing distress, although explicit bore-out-like scenarios are rare.

**PREVENTIVE RESPONSIBILITIES**

**EMERGING LEGAL REFORMS:**

The Worker Protection Act 2023 mandates proactive measures to prevent sexual harassment; this standard may soon extend to all harassment types.

The Employment Rights Act 2025 shifts the threshold to "all reasonable steps" to prevent harassment and includes third-party harassment liability.

**EMPLOYER BEST PRACTICES:**

Regular workload reviews and open mental health conversations.

Training for managers to spot signs of underload, depression, or poor wellbeing.

Risk assessments addressing repetitive or null work to comply with H&S regulations.

Reasonable adjustments for mental health disabilities (e.g., role redesign, varied duties) under the Equality Act.

Employer Risk Area	UK Legal Basis	Recommended Action
Psychological harm from underload ("bore-out")	Health & Safety Act, H&S Regulations, Equality Act	Monitor workloads, conduct risk assessments, involve HR support
Mental health conditions as disabilities	Equality Act 2010	Identify, consult, and make reasonable adjustments
Harassment or bullying claims	Equality Act, Protection from Harassment Act	Investigate complaints, enforce anti-harassment policies
Expanded preventive duties	Worker Protection Act 2023, Employment Rights Act 2025	Train leadership, update policies, foster proactive safeguarding

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[www.stresscompany.co.uk](http://www.stresscompany.co.uk)



Scan me to contact Seán

CAPARIS BORE OUT  
2JUIN20\_PDF.PDF

07588 668819  
[sean@stresscompany.co.uk](mailto:sean@stresscompany.co.uk)

