

The Sting Redux

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Tonight's Office (originally aired October 2010) involved the courtship — a/k/a sting operation — of Danny Cordray, the slick-talking, good-looking uber salesman from Osprey Paper Company. Cordray keeps stealing Dunder Mifflin clients, so Michael, Jim, and Dwight set up a fake office front with Meredith posing as the CEO of a fictional company. The goal — watch Cordray sell on a hidden video and steal his selling secrets. Sounds good, right?

Our previous coverage of this episode outlined the possible liability for the sting. My take: Employment laws notwithstanding, I'm pretty sure the guys break a few state laws by:

- watching Danny on a closed-circuit feed without his knowledge (maybe, maybe not —
 depends on whether he had a reasonable expectation of privacy, which he probably
 didn't in an office but that still doesn't make it a good idea);
- using the sex-starved Meredith as the decoy (they should know the woman can't keep her hands off an attractive man, and I think they put him in harm's way); and
- in the end, Michael's refusal to allow Danny to leave until Michael makes his point (probably a weak case of false imprisonment, but again, not a good idea anyway).

http://blogs.hrhero.com/thatswhatshesaid/

Perhaps the most employment-related mess of the night was Michael's diatribe against Stanley, during which Michael assumed Stanley was a diabetic, and rattled off a number of diabetes-related assumptions just to demonstrate his stereotypical beliefs about diabetics. Under the <u>Americans with Disabilities Act</u>, whether Stanley is diabetic or not is irrelevant — Michael's assumptions alone are sufficient to bring Stanley within the Act's coverage (the regarded-as prong). If, in the future, Michael took an employment action against Stanley based on one of his mistaken assumptions, Michael would subject the company to the vast array of penalties the Act provides.

Merry Christmas Everyone!