

## MORE THAN \$148,000 PAID TO WOMAN IN PREGNANCY DISCRIMINATION CASE



A judge has ordered a medical staffing company to pay a former employee over 148,000 dollars to settle a pregnancy discrimination case. The suit was filed last April by the U.S. Equal Employment Opportunity Commission (EEOC) on the woman's behalf. HCS Medical Staffing, Inc., based in Wisconsin, hired the woman as a bookkeeper, her duties to include reconfiguring the company's records and bills – the last bookkeeper was fired for embezzlement. On the very same day that she was employed at HCS, the woman learned that she was pregnant. When she informed the company owner on April 1, 2008, he believed it was merely an April Fool's joke. He persisted in this belief after referring to the pregnancy as a joke at a staff meeting and being told by other staff members that the news was sincere. The following month, the expectant mother brought an ultrasound to show her co-workers, and the owner reportedly refused to look at it. The woman later spoke to the owner about hiring a temporary replacement to handle her job while she was on maternity leave. The owner stated his belief that maternity leave would "only be a couple of days" and temporary help was unnecessary. The employee told her superior that she was entitled by law to six to eight weeks of leave and would be taking at least eight weeks. During the subsequent few days, the owner complained of insurance covering the pregnancy, questioned the employee's time off for doctor visits and allegedly – to an office manager – referred to the unborn child as "a thing." The same office manager later "congratulated" the woman on being the first woman not terminated by the owner during a pregnancy. The owner also gave the woman information on an "apparatus" that would reputedly "reduce her stress and allow her to come back to



work sooner." The woman was put on bed rest on October 21, 2008. The owner approved her leave, and the employee provided assistance with some of her duties via phone calls. She even called to help with payroll questions on October 30-31st, just two days after her son was born. On October 30th, she was terminated, one day before her medical insurance would have taken effect. She didn't know that she was fired until November 3rd, when her husband went to retrieve certified mail at the post office anticipating a gift card and found a termination letter instead. The letter cited a poor job performance and "gross negligence." The EEOC filed a lawsuit claiming a violation of Title VII of the Civil Rights Act. HCS did not respond to an order from the court to retain the services of an attorney. A default judgment was then entered, ordering the company to pay the woman 50,000 dollars in compensatory damages, 50,000 in punitive damages, and 48,340.40 in back pay. The company was also "permanently enjoined" from additional pregnancy discrimination. The judge found the circumstances associated with the discriminatory behavior "inherently humiliating," causing the woman "substantial emotional distress." The judge likewise found the woman's termination had been done "with malice and reckless indifference to [her] federally protected rights."