

RESTAURANT CHARGED WITH DISCRIMINATION FOR FIRING PREGNANT CHICAGO MOM



A mother from Chicago, Marzena Castillo is alleging that she was fired, from Chicago's Northside Bar & Grill, where she worked as a manager and server, for having a baby. She is taking the matter to court. "It's supposed to be the best time of my life, when I'm pregnant, and it wasn't," she says. The reason she says is that the day she informed her bosses at the popular eatery, that she was expecting, her relationship with them began to deteriorate. She would be constantly targeted owing to her pregnancy, making what should have been a period of great happiness and joy, a living nightmare. She had worked at the restaurant earlier in 2004 and this was her second stint, this time as a manager and a server. After she told them about her pregnancy one of her bosses called her and said that they were disappointed that she had become pregnant. She named her new born Eros, but faced offensive comments about breastfeeding. A few months later she was asked to leave. The move caught her by surprise, "I trained a girl Friday, Saturday night, Sunday morning, Monday I was off and Tuesday I was fired," Castillo says. She says, that she was offered no explanation as to why she was fired. This week Castillo filed a lawsuit, claiming discrimination. Her attorney, Eugene Hollander, says it's okay for employers to fire their employees, if they have a reason for doing so, but discrimination cannot be one of those reasons. "That's clearly what happened here," he says. Northside Co-owner Cyril Landise said in a written statement, refuted the claims saying, "We would never fire anyone because they were pregnant and we didn't. We support women who have families and continue to do so." However, he did not mention on what grounds Castillo was terminated from work. Castillo is the second mother who has alleged pregnancy discrimination at the workplace. Heidi Spontak, a former bartender at The Charley Horse Restaurant and Bar also claimed that her pregnancy led to her bosses not wanting her anymore. Dina Bakst, a lawyer and founder/president of A Better Balance: The Work and Family Legal Center wrote in the NY Times, that thousands of women in the country lose their jobs upon becoming pregnant. Considering that three-quarters of the women are likely to get pregnant, clearly it is a problem that needs to be addressed. In an earlier discrimination case, but based on similar charges, Congressman Jerrold Nadler (D-N.Y.), who is drafting legislation to address the problem had said, "It is unconscionable that, nearly 35 years after passage of the Pregnancy Discrimination Act of 1978, women are still being forced to leave jobs, being denied basic and reasonable accommodations that would allow them to continue to work during pregnancy, and being paid less than other workers because of pregnancy and motherhood," said Congressman Jerrold Nadler (D-N.Y.), who is currently drafting legislation to address the problem. Law professor Jeannette Cox argues that pregnancy should be considered a disability so that moms-to-be are protected under discrimination laws that only apply to the disabled. Under the Pregnancy Discrimination Act of 1978, its employers cannot fire, demote, reassign, or refuse to hire a woman, just because she is pregnant. The law says that you cannot differentiate between a pregnant woman and any other employee. However, the law does not entitle them to any special treatment, like handling lesser weights. Only workers with disabilities are entitled to that.

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