

The U.S. Equal Employment Opportunity Commission

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MATERNITY STORE GIANT TO PAY \$375,000 TO SETTLE EEOC PREGNANCY DISCRIMINATION AND RETALIATION LAWSUIT

Motherhood Maternity Refused to Hire Pregnant Applicants and Fired Assistant Manager for Complaining, Agency Charged

MIAMI – A Philadelphia-based maternity clothes retailer will pay \$375,000 to settle a pregnancy discrimination and retaliation lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today. The EEOC had charged that Mothers Work, Inc., doing business as Motherhood Maternity, refused to hire qualified female applicants because they were pregnant.

According to the EEOC's lawsuit (Case No. 3:05-CV-990-J-32TEM in U.S. District Court for the Middle District of Florida, Jacksonville Division), LaShonda Burns, a former assistant manager, complained about Motherhood's policy and practice of discrimination against pregnant applicants. The EEOC said Motherhood illegally disciplined and ultimately fired Burns because it believed she was pregnant and in retaliation for her complaints.

Such alleged conduct violates the Pregnancy Discrimination Act. The EEOC filed suit after first attempting to reach a voluntary settlement, and Burns also took part in the suit with a private attorney.

The three-year consent decree settling the suit requires Motherhood to pay Ms. Burns \$135,000 in compensatory and punitive damages; \$50,000 in back pay; \$130,000 for Burns's private attorney's fees and costs; and \$20,000 in compensatory and punitive damages to each of three women who were denied employment opportunities because they were pregnant – Lakevia Rollins, Aimee Tart and Jackie Ciardiello. Motherhood must also adopt and distribute an anti-discrimination policy that specifically prohibits denying women employment opportunities because of their pregnancy; train all of its Florida current and future employees on the new policy and federal employment discrimination laws; post a notice of resolution of the lawsuit; and report to EEOC twice annually regarding pregnancy discrimination complaints.

"The EEOC hopes that employers understand that the agency will take a very aggressive approach in combating the disturbing rise in pregnancy discrimination," said Federico Costales, the EEOC's Miami district director.

According to company information, Motherhood, which began its operations in 1982, employs over 5,000 people. It is the leading designer, manufacturer and retailer of maternity fashion in the United States, with over 1,000 stores nationwide and Internet retailing. Motherhood owns leading brands including Mimi Maternity, A Pea in the Pod, and Maternitymall.com.

In Florida, the EEOC's Miami District Office received 223 pregnancy-related charges of discrimination in Fiscal Year 2005 compared to 114 in Fiscal Year 1992. Nationally, pregnancy-related charge filings have risen from 3,385 in FY 1992 to 4,512 in FY 2005.

"It is shocking that a corporation whose market is pregnant women would refuse to employ them and then retaliate against a woman who complained about the practice," said Nora Curtin, supervisory trial attorney of the Miami District Office. "We are pleased that this settlement will steer this important company to better treatment of pregnant employees."

The EEOC is responsible for enforcing the nation's laws prohibiting employment discrimination based on race, color, gender (including sexual harassment and pregnancy), religion, national origin, age, disability and retaliation. Further information about the EEOC is available on its web site at www.eeoc.gov.

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