

# Eva, the HR Compliance Diva



## “Ask Eva”

*Eva, the HR Compliance Diva answers questions posed by new & seasoned HR, professionals, employees and small business owners. Answers are based on knowledge, research and feedback from other HR and employment law attorneys. This week, we have a question from Pregnant in Orlando, Florida and pushed out who asks;*

### Question

Hey Eva,

3 yrs ago I had started what I thought to be a great job. Soon after I found out I was pregnant. At first, my boss was reassuring and even congratulated me. As I got closer to my due date things began to change. I was given tasks and provided no direction and was then reprimanded for it. My boss started asking others to complete tasks that were my responsibility. The writing was on the wall that I was being pushed out. I spoke with HR and that was a big joke. Eva, what advice can you give in the event this ever happens again, or maybe your advice can help someone else.

Regards,

Pregnant in Orlando, Florida and pushed out

What do you say Eva?

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### Eva’s answer:

Hello Pregnant in Orlando, Florida and pushed out,

First, I am sorry that you experienced this situation. I am not going to insult your intelligence. There are ways that companies and even HR professionals do not follow the regulations and laws in the hopes that no one will notice. Unfortunately, the reason for termination is seldom because the employee is pregnant. Some Employers hold on to the “Employment at-will” (employee can be fired at any time, for any reason

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except for a few illegal reasons). In fact, some Employers would rather pursue a separation or severance agreement providing a few weeks' pay in order for the employee to sign a document not to pursue litigation.

It sounds like you handled it correctly. This was very brave. It is too bad that this HR professional did not follow up appropriately. I checked some of my resources who were hesitant to give me an answer about what to do better because they were not privy to all the details. However, all agreed a possible option for similar situation as yours is submitting a claim under the Equal Employment and Opportunity Commission (EEOC). The EEOC is committed to ensuring that job applicants and employees are not subjected to unlawful discrimination on account of pregnancy or because of their efforts to balance work and family responsibilities (see link below). Some women feel that it might be difficult to make a claim to the EEOC because of potential retaliation, job loss and because they are discouraged they can't prove it. Some women want to move on and do not have the luxury to stop looking for work while they pursue any option. My recommendation to other employees in a similar situation is to consider the EEOC as an option. I wish you luck in your career and congratulations on your bundle of joy!



## Links

<https://www.eeoc.gov/employees/charge.cfm> How to File a Charge of Employment Discrimination  
<http://www.eeoc.gov/eeoc/newsroom/release/2-15-12.cfm>: EEOC Press Release: Unlawful Discrimination Based on Pregnancy and Caregiving Responsibilities Widespread Problem, Panelists Tell EEOC

**Please keep in touch!**

*Eva*

*If you would like to ask Eva, the HR Compliance Diva a question about human resources, workplace compliance and any human resources management components, please go to [www.hrcompliance.biz](http://www.hrcompliance.biz) and go to the HR blog page to find "Ask Eva"*

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