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# Family responsibility discrimination claims up by 400%

The Center for Worklife Law recently commissioned a study concerning discrimination against workers who have family responsibilities. The report contains some shocking revelations about one of the newest recognized causes of actions to be filed under Title VII of the Civil Rights Act.

The study reports three trends in these types of discrimination that fit this description: New supervisor syndrome; second-child bias; and the elder-care effect.

The study also suggests that too few employers understand the legal risks of failing to prevent discrimination and would do well to educate themselves about family responsibility discrimination and training their supervisors on best practices.



Stephanie Sipe

## New supervisor syndrome

This occurs when employees with family responsibilities have been performing well and balancing competing obligations until they have a change in supervisors. For whatever reason, the new supervisor rejects flexible work schedules, changing shifts or imposing new productivity requirements.

The new supervisor comes into the workplace with a bias against workers with families, often mothers with small children, and fails to recognize the success of the employee despite the circumstances.

## Second-child bias

In this situation, mothers who experience no hardship in the workplace report a significant difference in treatment once their second child is born.

Sometimes a supervisor may make a “preemptive” per-

sonnel decision, based on the assumption that the employee will no longer be committed to work because of her additional family responsibilities.

## The elder-care effect

Given the changing demographics of today’s workforce, more and more employees are facing the possibility of caring for aging parents. As in the case of second-child bias, supervisors often act on stereotypes that their employee’s commitment to home will affect productivity or performance at work and will act preemptively to “protect” the work environment.

According to the authors of this study, litigation risks and costs are rising as a result of family responsibility claims. Further workplace structures and expectations may be unrealistic in light of the changing circumstances of the workforce.

Family responsibility dis-

crimination may occur when a mother is passed over for a promotion because her supervisor thinks she won’t want to work additional hours or travel because she has children at home. Or a father is told it would be career suicide if he takes time off to stay at home with his sick children.

Sometimes this discrimination is subtle, and sometimes it is overt. Either way, it is illegal.

The report reviewed 2,100 recent cases involving family responsibility discrimination. Since 1999, the number of all employment discrimination claims has declined.

In contrast, during that same time period, family responsibilities discrimination claims have increased nearly 400 percent. And unlike most employment discrimination claims, in which the employer is overwhelmingly successful (usually 70 percent or more), in family responsibilities cases plaintiffs tend to win about 50 percent of the claims.

When that is reduced to dollars, a typical win for a plaintiff is approximately \$575,000. When we look at 29 claims filed in Georgia, 48 percent were judged or settled in favor of the plaintiff.

## What can or what should employers do?

First, understand legal risks in this area. Second, put policies in place that minimize the risks that employees’ rights would be violated, and third, train supervisory personnel that employees with family responsibilities do not necessarily sacrifice productivity and stability.

With proper education and training, this can be a win-win situation for employer and employee.

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## networking opportunities

### Bluffton ribbon cutting scheduled

The Hilton Head Island-Bluffton Chamber of Commerce has slated a ribbon cutting at Simply Southern Homebuilder LLC, Inc. The company is located in Magnolia Place in Bluffton. **When:** 4:30 p.m. May 5 **Information:** Contact the chamber at 843-785-3673 or go to [hiltonheadchamber.org](http://hiltonheadchamber.org).

### Tourism council hosts Cinco de Mayo social

The Tourism Leadership Council will hold its Cinco de Mayo social at the Savannah Sand Gnats game Thursday. The event kicks off the council’s spring and summer social series. Hors d’oeuvres and drinks will be provided. **When:** 5-7 p.m. May 5 **Where:** Grayson Stadium, 1401 E. Victory Drive. **Cost:** \$15 for members; \$25/ non-members. Fee includes one drink ticket and one general admission ticket to the Savannah Sand Gnats game. RSVP by May 3. **Information:** [www.tourismleadershipcouncil.com](http://www.tourismleadershipcouncil.com).

### SCAD holds furniture design summit

The Savannah College of Art and Design’s furniture design department will host

its first university-sponsored furniture industry conference — “Furniture Design Summit 2011: Re-Defining American Design.”

The American Society of Furniture Designers and Metropolis magazine will partner with SCAD for the summit. Metropolis editor-in-chief Susan Szenasy will moderate panels during the summit.

**When:** May 9-10 **Where:** SCAD’s River Club, 3 Martin Luther King Jr. Blvd. **Information:** [scad.edu/furniture-design](http://scad.edu/furniture-design).

### Hilton Head-Bluffton business golf classic

The 19th annual tournament will be held at Berkeley Hall. Chamber members are invited to play the Tom Fazio South Course along the waters of the Okatie River. A box lunch is included as well as a reception and awards ceremony, prizes, contests and raffle prizes.

**When:** May 9, with 10:30 a.m. registration and noon shotgun start. **Where:** Berkeley Hall **Cost:** \$185 per player or \$725 per team **Information:** To register go to [hiltonheadchamber.org](http://hiltonheadchamber.org).

### TEDxCreativeCoast May 13 at Jepson Center

TEDxCreativeCoast presents speakers with forward-thinking ideas who discuss their passions, visions and ideas for Savannah and the world.

In the spirit of ideas worth spreading, TEDx is a program of local, self-organized events that bring people together to share a TED-like experience.

**When:** 9 a.m.—4 p.m. May 13. **Where:** Jepson Center for the Arts, 207 W. York St. **Information:** [www.tedxcreativecoast.com](http://www.tedxcreativecoast.com) or [www.facebook.com/tedxcreativecoast](http://www.facebook.com/tedxcreativecoast).

### Project Management courses offered

Beginning and advanced project management courses will be offered at the Coastal Georgia Center in downtown Savannah. Together, the 12-hour beginning course and 24-hour advanced project management course will complete the 35-hour course requirement for the Project Management Institute’s Professional Management Professional certification application.

• Beginning Project Management, a two-session course (May 14 and May

20), covers the key skills and tools needed to be successful in the planning and completion of assigned projects.

• Advanced Project Management, a four-session course (June 4, 10, 24 and July 15), advances training with the internationally accepted standard of Project Management from PMI. **Details:** [ceps.georgiasouthern.edu/conted/projectmanagement.html](http://ceps.georgiasouthern.edu/conted/projectmanagement.html). **Registration:** Go online or call 855-478-5551.

### 10th Annual Taste of Downtown Business Connection

The event will feature networking with Chamber members in Johnson Square and sampling specialties from a variety of restaurants and caterers. There will be free parking in the Bryan Street Garage (write the word “Taste” on the back of your parking stub).

**When:** 5:30-7:30 p.m. May 19 **Where:** Johnson Square, Bull and Congress streets **Cost:** \$10 for Chamber members; \$25 for member guests **Information:** Susan Smith at 912-644-6434 or [ssmith@SavannahChamber.com](mailto:ssmith@SavannahChamber.com).

### Hilton Head-Bluffton Business After Hours

May’s Business After Hours presented by the Hilton Head Island-Bluffton Chamber of Commerce is an opportunity for networking with business colleagues in a casual setting.

**When:** 5:30-7 p.m. May 19 **Where:** Lawton Station **Cost:** \$10 for members, and \$20 for nonmembers **Information:** [hiltonheadchamber.org](http://hiltonheadchamber.org) or call 843-785-3673.

### Savannah CFO Council breakfast meeting

The Savannah CFO Council’s breakfast meeting will feature guest speaker Sandy Richtermeyer, the chair of the National Institute of Management Accountants. She will speak on “The Preparation Gap of Accounting Students vs. Work Requirements.” This meeting will be sponsored by Savannah Bank and Minis & Company.

**When:** May 24, with coffee at 7 a.m., breakfast buffet at 7:20 a.m. and meeting at 7:45 a.m. **Where:** Savannah Golf Club, 1661 E. President St. **Reservations:** Contact Roy Austin at [Roy.austin@rockwellbusinesssolutions.com](mailto:Roy.austin@rockwellbusinesssolutions.com) or 843-597-4826.