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DFEH Settles Pregnancy Discrimination Case against East County Glass & Window

Employee Alleged She Was Terminated Because of Her Pregnancy

Sacramento – The California Department of Fair Employment and Housing (DFEH) has settled a pregnancy discrimination case with East County Glass and Window, Inc. (East County) in Contra Costa County involving a former employee who alleged her bosses fabricated a reason to terminate her after learning she was pregnant.

The employee filed a complaint with DFEH in January 2017 alleging that her supervisor and the company president discussed replacing her with a non-pregnant employee after learning she was pregnant. Less than a week after the complainant asked for adjustments to her schedule to make appointments with her OB/GYN, she was fired. Though the employee was told she was being laid off due to budget concerns, she learned that another woman was hired to perform similar work shortly after she was terminated. DFEH found cause to believe a violation of the Fair Employment and Housing Act had occurred and filed suit in Contra Costa County Superior Court after an unsuccessful mandatory mediation.

“Too many employers continue to penalize employees who become pregnant,” said DFEH Director Kevin Kish. “Employees who become pregnant are entitled to the same rights as other employees with temporary disabilities, including the right to reasonable accommodations that can take the form of a restructured schedule, modified assignments, or temporary leave.”

In addition to paying \$22,000 to the employee and \$3,000 to partially offset DFEH’s fees and costs, East County will revise its employment policies to include specific provisions for handling requests for pregnancy disability leave and disability accommodation; put up DFEH posters that inform employees of their rights in the workplace; and require that all managerial employees attend annual training on fair employment requirements.

Staff Counsel Adam Chayes represented DFEH in this proceeding.

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The DFEH is the state agency charged with enforcing California’s civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH’s web site at www.dfeh.ca.gov.

