

# Star-Telegram

FORT WORTH

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## Parents fight back against bias at work

**WORK** Working mothers and some dads are taking complaints about workplace discrimination to court.

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Working parents whose careers suffer when they have children increasingly are suing their employers for discrimination, a report released Wednesday shows.

The study, conducted by Families That Work: The Program on Gender, Work & Family at American University, found that parents have scored victories on a variety of legal fronts in a spattering of lawsuits across the country.

Among the examples:

■ An accountant in Puerto Rico challenged her employer for firing her shortly after learning that she planned to have more children.

Nilsa Santiago-Ramos said the company had a written employment profile that excluded married women and women with children. And she accused her boss of

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remarking: "That's what happens when we hire a woman in their childbearing years. They don't work the hours."

Santiago-Ramos' case was settled, and details are confidential.

■ A Maryland state trooper was denied paid "nurturing leave" upon the birth of his daughter because his supervisor insisted that only women could fit that bill.

Kevin Knussman claims that he was told that his wife would have to be "in a coma or dead" for him to qualify as a primary caregiver. An appeals court awarded him more than \$600,000 this week.

Combined, those lawsuits and an array of others reveal a chilly work environment for parents — most often, mothers — who take on child-rearing responsibilities, said Joan Williams, director of Families That Work.

Williams complains of a "maternal wall" created by stereotypes that moms dedicate fewer hours and less effort to their jobs. And she warned that employers could get in legal hot water if they pick out "go-getters" based on employees' willingness to work long hours instead of the quality of their performance.

"You're going to have an atmosphere that systematically penalizes conscientious parents, whether they're male

or female, who have goals and dreams other than work," Williams said.

Sandra Lauro, a senior attorney with Cowles & Thompson in Dallas who represents employers, said disputes about parents' treatment in the workplace are popping up more frequently

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— Sandra Lauro,  
a senior attorney  
with Cowles & Thompson

at the courthouse.

"Employers should be aware that there's an increase in this type of litigation. And awareness entails responsibility," Lauro said. "I think this issue is going to become more important."

Although no federal law specifically prohibits discrimination against parents, their lawyers have had success under a variety of existing protections, such as the Civil Rights, Equal Pay, and Family and Medical Leave acts. And Lauro noted that a handful of states, including Alaska and California, have enacted legislation that grants some rights to working parents.

Keith Clouse, a Dallas lawyer who represents workers and employers, said dis-

crimination often is subtle. One recent client, for example, saw many of her job responsibilities handed off to others when she took maternity leave. She was later fired.

"There's a stigma that attaches to women once they have a child," Clouse said. "And employers often assume that a woman's productivity is going to decrease or that she won't be able to do the job or do it as good."

Lauro said she encourages employers to emphasize consistency in their policies, which can help avoid discrimination complaints from parents and nonparents.

"When employers, for good reason, allow flexibility for parents, sometimes that causes morale issues for non-parents who have to pick up the slack," she said.

Thomas Coleman, executive director of the American Association for Single People, said that's a familiar gripe about "family friendly" workplaces.

"We have lives outside of work, too," he said, "and everything shouldn't be geared toward employees with children."

Coleman advocates programs that allow "work-life" balance for all employees regardless of their parenting status. And he defended parents' right to fair treatment at work.

"Let's judge people on their performance, their past performance and their merit and productivity," Coleman said.

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