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PRESS RELEASE

Pregnancy and maternity still a problem for women at work

Motherhood is one of the most natural things in the world, but women are still being penalised for being pregnant in workplaces throughout Northern Ireland. The Equality Commission for Northern Ireland has recently assisted three women to settle cases against their employers. The women claimed the treatment they had experienced by their employers breached the Sex Discrimination Order (NI).

Eileen Lavery, Head of Advice, Compliance and Legal at the Equality Commission said: "Pregnancy discrimination in the workplace has remained a persistent problem - the most common cause of complaint on the grounds of gender made to the Equality Commission is still from women who feel they have been treated unfairly either when they became pregnant or on their return to work after maternity leave."

Cases taken by the three women were recently settled before they went to an Industrial Tribunal for hearing. Sarah Shilliday, Kelly McAtamney and Cherie White, worked, or applied for work, with employers across different sectors in Northern Ireland. They all felt that decisions made about them, whether relating to recruitment or about their existing jobs, were affected by their pregnancy or maternity situation. Settlements paid to the three women amounted to a total of £15,500.

Sarah Shilliday, whose case was settled for £3,000, had applied for a job as an area manager with RJN Chemicals, after her previous employer had gone into liquidation while she was on maternity leave. These circumstances were discussed at her interview for the post. Sarah said: "My family circumstances and childcare responsibilities were discussed at the interview, but I felt I answered the questions very fully and was optimistic about my prospects for the job."

Sarah then received an e-mail from RJN Chemicals which, while commenting favourably on her suitability, said: "sadly I'm afraid your personal arrangements with the new baby will make it impossible to carry out this role".

"I was really upset when I received this email," Sarah said, "as it clearly indicated that the fact I had a child had influenced the decision not to appoint me. I could have

accepted not getting the job if that was because I wasn't the best candidate, but to have the opportunity denied because I am a mother is not acceptable."

Kelly McAtamney, whose case was settled for £4,500, with no admission of liability, had worked for Medi Cosmetics as a beauty therapist. Kelly alleged that, when she told her employer that her doctor advised that she needed to "stay off her feet" as much as possible, the company would not adjust her duties to accommodate this. Kelly said: "When they would not allow me to sit down to perform my duties and when, failing that, a request for a period of maternity suspension was also refused, I had no option but to continue on sick leave. Subsequently I felt I had to resign. I wanted to continue in work but I felt it was impossible in the circumstances where these accommodations were refused."

Cherie White worked for the Irish Football Association (IFA), which settled her case for £8,000. The settlement was made without admission of liability and without the case being heard in a tribunal. Cherie alleged that a number of temporary positions, including posts which had arisen while she was on maternity leave, had been made permanent. She said: "I'd worked for the IFA for a number of years on temporary contracts and I believed that, but for my maternity leave, I would have been in a position to be considered for one of the permanent posts. I appreciate the support the Commission has given me and I am glad the case has now been resolved."

As part of the settlement terms each of the companies agreed to meet with the Equality Commission to review their policies, practices and procedures on equality of opportunity.

"Women who are pregnant or are mothers of young children continue to experience difficulties at work," Eileen Lavery said. "This occurs in all kinds of industries and across all levels and types of jobs. The laws protecting women from pregnancy and maternity discrimination are clear, and they are there for very good reasons. They enable women who are pregnant and those who have young families to remain in and advance within the workforce. That is vitally important for families and for our entire community."

"It is also important for businesses that they retain the skills, knowledge and experience which mothers with children have to offer. The Commission provides free and confidential advice and guidance to employers on these issues and we would encourage employers to avail of this assistance."

She concluded: "In addition to offering support to employers, the Commission also offers advice and guidance to women with potential complaints who believe they have experienced discrimination. Indeed the Commission has also been conducting an Investigation into the employment experiences of women during pregnancy, whilst on

maternity leave and on their return to work. We will be publishing the results of this Investigation in 29 November 2016.”