



Woman wins £28,000 for pregnancy discrimination at Industrial Tribunal

Pregnancy discrimination case supported by the Equality Commission – 25 Sept 2019

When Laura Gruzdaite told her employer that she was pregnant and showed him the letter for her first ante-natal appointment, she probably didn't expect it was the start of a chain of events that would lead to her losing her job.

The Equality Commission supported her case to the Industrial Tribunal, alleging unlawful discrimination because she was dismissed for a reason relating to her pregnancy and because she was treated adversely following the announcement of her pregnancy. The Industrial Tribunal found unanimously in Ms Gruzdaite's favour and awarded her £27,917.60.

When Laura and her husband started work at McGrane Nurseries Ltd, Co Armagh, in January 2018, she was given a blank contract to sign, specifically with no start or end dates. She believed she was coming to Northern Ireland for a permanent job but at no point was she told that this was to be a seasonal job.

When Laura announced her pregnancy and showed the appointment letter for her first ante-natal appointment to one of her managers on 14 September 2018, he forgot to tell the other manager about it. She was called in to a meeting on 18 September with both managers to explain why she had not been at work. She also told a manager on 8 October about a later scan appointment on 10 October and she was called in to a meeting about her absence on 11th October. The Tribunal found that Laura was unjustifiably questioned about her absence on 14 September and 10 October 2018 when she had in fact told her manager that the purpose of her being off was for ante-natal appointments.

The employer accepted that they failed to pay Laura for her time off attending the ante natal appointments. The Tribunal found that a manager was less friendly to Laura after she announced her pregnancy.

On 10 October, while Laura and her husband were at that ante-natal appointment, their employers held a meeting at which a group of seasonal workers were given one week's notice of termination. The couple were subsequently called in to meet with their employers on 12 October and were informed of their dismissal. Other seasonal workers were kept on by the employer and carried out the duties previously performed by Laura.

On that day, her manager said to her, "You will need more days off for your pregnancy doctor's appointment...you already skipped work on Wednesday when you had your ultrasound scan."

At Tribunal, Laura said: "On that day I got very upset because both of our contracts had been terminated. We were waiting for our child to come into this world but both of us were unemployed and had no additional income. When I returned to my place of work following this conversation, I felt nauseous, my hands were shaking, and I felt a dull pain and a stretching sensation in my stomach."

The Tribunal found that 'a decision was made to terminate the claimant's contract by choosing her to leave earlier than others because she had been on ante-natal appointments and would be going on more appointments'.

The Tribunal found the decision to terminate the claimant's contract was tainted by discrimination in that it was connected to her pregnancy and consequently her dismissal was both unfair and an act of unlawful discrimination.

Dr Michael Wardlow, Chief Commissioner of the Equality Commission, said: "It is dispiriting that we are at Tribunal once again supporting another case of pregnancy discrimination. I'm afraid this is still all too common and in spite of the legislation being in place for more than 40 years, some employers still seem to be unaware of the law and the consequences of breaching it.

"Every year, around a quarter of all the complaints of discrimination made to our advice line are to do with sex discrimination. Of those, consistently the largest number, around 22% of the total are about pregnancy and maternity discrimination.

"Laura Gruzdaite was 20 weeks' pregnant at the time she and her husband were dismissed. They had arrived in Northern Ireland ready and willing to work and have started to make their life here. Laura's husband has since found other work and she is caring for their baby."

Laura Gruzdaite said: "I have suffered a lot of stress following my dismissal from work and had to seek help from my doctor I was very worried that the stress could cause complications or even a miscarriage. We were in a very bad situation for a time and it is a great relief to me to have this all finished. I am very grateful to the Equality Commission for helping me. No woman should lose her job because she is pregnant and it is important that women challenge such treatment."

ENDS

Notes for editors

1. The Tribunal panel found that Laura Gruzdaite had proved five facts:
 - The 'inconsistent, contradictory and unclear evidence from the respondents' witnesses' about when the season started and ended, and the start and end date of Laura and her husband.
 - The contractual documentation and the contracts signed by Laura and her husband
 - The lack of explanation about the insertion of an end date for their contracts in contrast to other employees.
 - The negative attitude displayed by Peter McGrane following the announcement of the claimant's pregnancy.
 - The specific comments about the claimant having attended ante-natal appointments and being due to attend more.
2. The full Tribunal decision is [online](#).