

Update: North Carolina Business That Fired Pregnant Employee Agrees To Three-Year Consent Decree With EEOC

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If there's anything worse than government regulation, perhaps it's the government breathing down your neck for the next three years. That is what a North Carolina furniture company is facing after it was sued for pregnancy discrimination last summer by the EEOC. You might remember [our blog post last summer](#) about the EEOC's lawsuit against RTG Furniture Corp. of Georgia d/b/a Rooms to Go (RTG) that fired a pregnant employee who was working with potentially dangerous chemicals. The EEOC had accused RTG of imposing "paternalistic notions on pregnant women." The case seemed to end almost as quickly as it started. Without an extended discovery period or back-and-forth motions, the dispute is now resolved. Last week, RTG and the EEOC entered into a joint consent decree that looks like RTG surrendered. The three-year consent decree includes the following provisions:

- RTG's payment of \$55,000 to the former employee
- A promise by RTG not to discriminate, including "by discharging workers due to the employer's concerns regarding the welfare of its employees' unborn children"
- A promise that RTG "shall cease discharging or denying to hire pregnant workers due to the employer's concern about pregnant applicants or employees' unborn children"
- Implementation, distribution and posting of a formal anti-discrimination policy within 90 days.
- Annual training program to managers and employees – the first within 100 days after the Consent Decree is entered. The training program also needs EEOC approval
- Updates to the EEOC every six months regarding pregnant employees and applicants

As a reminder, pregnancy discrimination (a form of sex discrimination) is against the law, prohibited by Title VII. Remember also that pregnant employees may need to be accommodated – as outlined in the Supreme Court's 2015 decision *Young v. United Parcel Service*. So, even when you think you're doing the right thing (as RTG presumably did), the legal landscape is tricky.

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