Sacked because of pregnancy
A conciliated outcome

Summary

A young photographer was sacked when she told her manager that she was pregnant. She was unable to find another job during her pregnancy and was in serious financial difficulty because of the dismissal. She made a pregnancy discrimination complaint to the Anti-Discrimination Commission Queensland.

The employer did not deny that the woman’s pregnancy was the reason for her dismissal, but said that they didn’t know it was illegal. They took the conciliation process as a learning experience and put policies in place and trained their staff.

The woman received financial compensation, a reference and an undertaking that the business would develop anti-discrimination policies and train staff.

Outcomes for the complainant

A young woman worked as a photographer for a company that sent her on assignments to photograph clients. When she was a few months pregnant she told her manager, and within a few days she was dismissed from her job.

She had planned to work until as close to the birth as possible as she was a single, first-time parent, and losing her job placed her in serious financial difficulty, especially when she was unable to find another position.

Making a complaint

She made a complaint of pregnancy discrimination to the Anti-Discrimination Commission Queensland (ADCQ), which held a conciliation conference for both parties to discuss what had happened and suggest how the complaint could be resolved.

At the conciliation conference the employer admitted that the pregnancy was the reason for the woman’s dismissal, but said that they didn’t know it was illegal.

At the conciliation conference, the employer agreed to provide:

- financial compensation for lost wages to the woman
- a work reference to the woman
- staff training and develop anti-discrimination policies.

Benefits for the business

The employer took the process as a learning experience and has updated their practices, thereby reducing the risk of future complaints.
Takeaway Messages

Dismissing a worker (whether they are full-time, part-time or casual) because they become pregnant is discrimination.

Further information on pregnancy and the workplace

The Supporting working parents online resource gives Information for employees and employers (http://www.supportingworkingparents.gov.au/).

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