



FOR IMMEDIATE RELEASE

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Discrimination: Pregnancy was a factor in decision to terminate employee

A human rights adjudicator has found that a Winnipeg cleaning company's decision to fire an employee just days after learning that she was pregnant was discriminatory. Adjudicator Robert Dawson ordered Take Time Cleaning and Lifestyle Services (Take Time) to pay the woman \$5,000 in compensation for injury to her dignity and self-respect.

Adjudicator Dawson emphasized that the owner knew that the women's medical appointments were related to her pregnancy but that her resulting unavailability was part of the owner's decision to terminate her employment. Adjudicator Dawson acknowledged that while the company did have an attendance policy. *The Human Rights Code* requires that employers must reasonably accommodate employees to the point of undue hardship.

Human Rights Commissioner Diane Dwarka stated, "*This sends a clear message to employers that they must be aware of their obligations under The Human Rights Code and should avoid making assumptions about pregnancy-related needs in the workplace. Employers cannot use "business reasons" as justification for otherwise discriminatory decisions.*"

Ms Andrea Szabo filed a complaint under *The Human Rights Code* with the Manitoba Human Rights Commission, alleging that Take Time discriminated against her due to her pregnancy. After investigating the complaint the Commission requested that an independent adjudicator be appointed to make a final decision about whether Szabo's termination of employment was discriminatory. Prior attempts at resolving the complaint through mediation were unsuccessful.

At all adjudication hearings, the Commission represents the public's interest in eliminating discrimination. The Commission's Legal Counsel is required by *The Code* to present the complaint and argue how the complainant has been discriminated against. After the hearing, the adjudicator decides on the outcome and will deliver a written decision based on the evidence. All decisions are posted on the Commission's website.

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