

Chick-Fil-A Franchisee at Concord Commons to Pay \$10,000 to Settle EEOC Pregnancy Discrimination Suit

Article By:

U.S. Equal Employment Opportunity Commission

A Concord, N.C. **Chick-fil-A franchise** restaurant has agreed to pay \$10,000 and provide substantial **injunctive relief** to settle a **pregnancy discrimination lawsuit** filed by the **U.S. Equal Employment Opportunity Commission (EEOC)**, the agency announced today.

According to the EEOC's complaint, John Charping, d/b/a Chick-fil-A at Concord Commons, refused to hire Heather Morrison because she was pregnant. The EEOC said Morrison interviewed for a team member position with the restaurant's owner at the restaurant around Nov. 16, 2012. At the time of the interview Morrison was six months pregnant. During the interview, the owner asked Morrison a series of pregnancy-related questions such as how many months she had been pregnant; when she was expected to deliver; her childcare plans after giving birth; and how much maternity leave she planned to take. Morrison felt that questions were inappropriate, but answered them because she wanted the job. Three days after the interview, the owner called Morrison and informed her that she would not be hired, and to call back after she'd had the baby and had childcare in place.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, as amended by the Pregnancy Discrimination Act. The EEOC filed suit in U.S. District Court for the Middle District of North Carolina (*Equal Employment Opportunity Commission v. John Charping d/b/a Chick-fil-A at Concord Commons*, Civil Action No.1:13-CV-00535), after first attempting to reach a voluntary pre-litigation settlement through the agency's conciliation process.

In addition to providing monetary relief to Morrison, the company entered into a two-year consent decree requiring it to develop and implement a policy that prohibits pregnancy-based discrimination. The decree further requires the company to conduct preventive annual training on pregnancy discrimination for employees, supervisors and managers. Finally, the company will report to the EEOC all job openings it has over the next two years, as well as its hiring decisions on any pregnant applicants.

"Working women who choose to have children shouldn't be treated differently from other employees or applicants simply because they are pregnant," said Lynette A. Barnes, regional attorney for the EEOC's Charlotte District Office. "The EEOC will continue to enforce federal law against pregnancy discrimination."

National Law Review, Volume IV, Number 156

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