



PRESS RELEASE

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Step Three to Pay \$60,000 for EEOC Pregnancy and Disability Discrimination Suit

Hawaii Resort Retailer Disciplined and Fired a Buyer Due to Fertility Treatments and Pregnancy Restrictions, Federal Agency Charged

HONOLULU - Step Three, Ltd., a Hawaiian resort retailer, will pay \$60,000 for discriminating against an employee because of her fertility treatments and eventual pregnancy, the U.S. Equal Employment Opportunity Commission (EEOC) announced today. The EEOC simultaneously filed and resolved its pregnancy and disability discrimination suit against Step Three in a settlement that includes widespread changes to company policy and procedures.

According to the EEOC's suit, a female retail buyer in Honolulu informed the company that she began treatments for infertility in 2011. Upon disclosure of her disability, a company official allegedly made offensive comments about her intentions and became even less receptive upon disclosure of her pregnancy later that same year. The buyer was disciplined after disclosing her need for fertility treatments, and then discharged when she disclosed her travel restrictions due to her pregnancy.

Such alleged conduct violates the Title VII of the Civil Rights Act, as amended by the Pregnancy Discrimination Act (PDA), and the Americans with Disabilities Act (ADA). The EEOC simultaneously filed the complaint and the consent decree suit in U.S. District Court for the District of Hawaii (*EEOC v. Step Three, Ltd.*, Case No. CV13-00674-RLP) after first attempting to reach a pre-litigation settlement through its conciliation process. The two-year consent decree requires Step Three to pay \$60,000 to the victim and provide her with a neutral reference. Step Three also agreed to hire a consultant to ensure compliance with Title VII and the ADA; revise the company's anti-discrimination policies and procedures; provide annual training for staff; and hold supervisory staff accountable for engaging in or failing to address discrimination, harassment or retaliation on the job. The EEOC will monitor compliance with the agreement.

"Pregnancy discrimination remains a problem that forces qualified women out of the workplace," said Anna Park, regional attorney for the EEOC's Los Angeles District, whose jurisdiction includes Hawaii. "We commend Step Three for working closely with the EEOC toward the early resolution of this case and the equal treatment for employees who are pregnant or disabled."

Timothy Riera, director of the EEOC's Honolulu Local Office, added, "Federal law protects workers who are discriminated against due to their infertility, a covered disability. Workers who undergo fertility treatments should be treated like any other employee with a disability - with equal and careful consideration of reasonable accommodation requests."

One of the six national priorities identified by the EEOC's Strategic Enforcement Plan (SEP) is for the agency to address emerging and developing issues in equal employment law, including issues involving the ADA and pregnancy-related limitations, among other possible issues.

Step Three, Ltd. sells shoes, bags and accessories at resort-based retail locations through the Hawaiian Islands.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at www.eeoc.gov.