

# Morgan Stanley accused of bias against pregnant workers, new moms

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Daniel Wiessner

A former Morgan Stanley vice president has filed a complaint with the Equal Employment Opportunity Commission accusing the investment bank of discriminating against pregnant women and allowing new mothers to be harassed for pumping breast milk at work.

In a charge filed Wednesday, Chau Pham and her lawyers at Wigdor claimed that Morgan Stanley encouraged young women looking to advance their careers at the bank to freeze their eggs, and cut women's pay after they had children. Pham filed the charge on behalf of a class of female Morgan Stanley employees.

Pham, who worked in Morgan Stanley's foreign exchange division, says some of her accounts were taken away when supervisors learned she was pregnant, and that she was fired three weeks after returning from maternity leave last year. She also claims she was harassed and denied new clients because of the time she spent pumping breast milk at work.

She accused the bank of violating Title VII of the Civil Rights Act of 1964 and comparable New York state and city laws that prohibit discrimination based on sex and pregnancy.

Morgan Stanley spokesman Mark Lake said the bank does not tolerate discrimination and supports working mothers. "The firm has policies and procedures in place to underpin that support, and those were followed in this matter," he said. The EEOC, which has been shut down during the lapse in government funding that began last month and is not processing charges filed by workers, did not respond to a request for comment.

Morgan Stanley in 2004 agreed to pay \$54 million to settle an EEOC lawsuit accusing it of discriminating against women in pay and promotions. The bank denied the claims and did not admit wrongdoing in the settlement.

Separately on Wednesday, Pham in a letter to Morgan Stanley chief executive James Gorman asked to be released from an arbitration agreement she had signed with the bank so that she can pursue her discrimination claims in court.

"Taking away a woman's right to a trial by jury of her peers and providing perpetrators of discrimination with the comfort of secrecy only serves to facilitate bias and the continued marginalization of women on Wall Street," she wrote.

Pham noted that Microsoft, Google, Uber, Kirkland & Ellis and other employers have recently stopped requiring workers to arbitrate sexual harassment and other discrimination claims. Most of those companies were responding to calls by employees to end forced arbitration in

the wake of the #MeToo movement.

In her charge, Pham says she was a top performer in Morgan Stanley's foreign exchange division from the time she was hired in 2015. In late 2017, when supervisors learned Pham was pregnant, they took away one of her accounts and gave it to a younger coworker who was childless and not married, according to the charge.

Pham says she complained about discriminatory treatment before she went on maternity leave last April, and supervisors responded by calling her "paranoid" and berating her.

Pham claims that when she returned, she was not invited to client meetings and her need to pump milk at work became a subject of "office chatter." She says she was fired three weeks after returning, which Morgan Stanley attributed to "firm-wide reductions."

For Pham: Jeanne Christensen of Wigdor

(This story has been updated to add a comment from Morgan Stanley.)