

Doc Says Bayer Axed Her For Backing Pregnant Worker

By **Braden Campbell**

Law360, New York (December 7, 2016, 2:58 PM EST) -- A former drug development executive sued Bayer Corp. in New Jersey federal court on Wednesday alleging she was robbed of a promising career after speaking up when her boss removed a pregnant worker from a project leadership role and replaced her with a man.

Nearly two years after Bayer **settled a suit** by five executives claiming it marginalizes women on undisclosed terms, former analgesics program vice president Dr. Irene Laurora alleged the company continues to discriminate against moms.

"[Laurora] has brought this action to challenge defendants' unlawful and discriminatory employment practices against her and to finally attempt to hold the company liable for its wanton and malicious refusal to treat pregnant women with the respect they deserve," the former exec said.

Laurora joined the company in Oct. 2007 as a vice president in its analgesics, cough, cold and new products division after 14 years at Pfizer Inc., according to the complaint. In 2012, Laurora was named a recipient of Bayer's Working Mother of the Year Award and placed in its Management Excellence executive development program, according to her suit. In 2015, she was promoted to category leader of the program, which made her responsible for research and development of some of Bayer's best-known brands, including Aleve and Bayer Aspirin.

That same year, Laurora put a pregnant worker who reported to her in charge of a long-term project, according to her complaint. But in May 2015, her boss, global consumer care innovation and development head John O'Mullane, unilaterally took Laurora's choice out of the role and replaced her with a man, Laurora claims. When Laurora asked why, O'Mullane told her it was because of the worker's impending pregnancy leave, despite her only being scheduled to miss a few weeks of a multiyear project.

Laurora wrote O'Mullane a note calling his decision "inappropriate and disrespectful" and was told she should not have objected, and that doing so would not "develop trust and integrity in [their] relationship," she claims. O'Mullane subsequently gave Laurora poor marks for leadership skills in her 2015 employee review and downgraded her overall rating.

When she proposed taking classes to improve her apparent poor leadership skills, O'Mullane said he was eliminating her position through a restructuring. Laurora attempted to apply for other openings she believed herself qualified for, but was told by O'Mullane she would not be considered because she did not "have it," referring to the nebulous leadership traits he claimed to be looking for, Laurora claims. After she turned down a reassignment she considered a de facto demotion, Laurora's old job was eliminated and she was let go, she said.

"Instead of supporting Dr. Laurora's efforts to remedy obvious pregnancy discrimination, Bayer took actions to silence her by unlawfully terminating her employment," Laurora's attorney, Wigdor LLP attorney Douglas H. Wigdor, said in a statement. "Our Firm intends to utilize all of its resources to ensure that all employees have the right to come forward and report discrimination without the fear of reprisal."

Laurora claims O'Mullane and the company violated the Family Medical and Leave Act and the New Jersey Law Against Discrimination by retaliating against her for objecting to her coworker's treatment and that O'Mullane aided and abetted the company's alleged NJLAD violation.

She seeks an injunction barring Bayer from retaliating against employees and damages covering her lost income and other non-monetary losses including harm to her professional reputation.

A representative for Bayer told Law360 on Wednesday the company is reviewing the complaint, noting that the company has "express policies against discrimination, harassment and retaliation of all kinds."

An attorney for Laurora declined to comment.

Correction: This story has been corrected to describe the resolution of the 2011 suit.

Laurora is represented by Douglas H. Wigdor of Wigdor LLP.

Attorney information for Bayer was not available Wednesday.

The case is Irene Laurora v. Bayer Corp et al, case number 2:16-cv-09041, in the U.S. District Court for the District of New Jersey.

—Additional reporting by Kat Greene. Editing by Joe Phalon.