

Lawsuit Claims Avon Discriminated Against a Pregnant Employee, Is 'a Company Run by Men'

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For the past few years, veteran cosmetics company Avon has been trying very, very hard to re-brand, faced with an army of newer competitors who are also trying to get regular women to sell clothes, makeup, hair wraps, and diet products to their friends and family. In a rather ironic wrinkle, a new lawsuit against the company alleges that a woman working at Avon's executive offices was fired after she asked to work from home for a few days due to a high-risk pregnancy. The complaint also calls Avon a company "run by men," pointing out that the leadership team is largely white and male.

Avon's North America unit is now majority-owned by Cerberus Capital Management, a private equity firm with a reputation for buying ailing businesses, which purchased an 80 percent stake of the company in 2015. In late 2017, Cerberus told the *Wall Street Journal* they were doing away with some of the products in the catalogue they'd come to believe diluted the Avon brand, like a crockpot, and re-focusing on selling makeup and skincare to what the *WSJ* condescendingly termed "lower-income, aging women in the U.S. heartland." The company also said it would add products like nutritional supplements for people entering menopause.

The North American arm of the company is now called "New Avon LLC." But despite the changes, Avon still explicitly positions itself as a company focused on women's empowerment; its charitable arm, the Avon Foundation for Women, claims to have donated millions of dollars to organizations that fight breast cancer and domestic violence.

All of this makes the new lawsuit, filed by a woman named Caroline Ruiz, an interesting one to watch. In the complaint, filed on October 3 in United States District Court in Manhattan, Ruiz alleges that she was fired from an executive job at Avon's Manhattan headquarters after just a month, soon after disclosing her pregnancy and asking to be allowed to work remotely for a week.

According to the complaint, Ruiz learned that she was pregnant three weeks into her job as Global Head of North America Indirect Procurement, following stints at Shiseido and Estee Lauder. The complaint states that she started bleeding heavily one night in January 2018 and, following a trip to the emergency room, learned that she had a high risk pregnancy and was strongly advised to remain on bed rest.

Ruiz alleges that she asked her boss, Raj Nath, New Avon's "Executive Head of Sourcing," if she could work remotely for a week at the beginning of February. A day later, she says, she was instead abruptly told that she was having "performance issues."

In a meeting with Nath and an unnamed female HR representative, Ruiz alleges that she wasn't given much insight into her performance issues. She also says that at the meeting's end, she expressed fears about having a miscarriage that week, and was told by Nath "your health isn't my concern, but your job performance is."

Ruiz alleges that her request to work remotely was subsequently denied by email, and that she was instead instructed to come to work. She did that on Monday, February 5, where she says she was pulled into a meeting and immediately fired.

The suit accuses Avon of "intentionally and recklessly" putting Ruiz's health in jeopardy. It also points out that the leadership team is largely dominated by men, a statement that is self-evidently true: of the 12-person leadership team on New Avon's website, eight are men and four are women. (The team also appears to be overwhelmingly white.)

In a statement, Jeanne Christensen at Wigdor LLP, the lead attorney on Ruiz's case, says Avon "abhorrently fired our client simply because she disclosed her pregnancy. Such overt discrimination is intolerable by any company, but is even more disturbing when the company is Avon – an alleged leader for women."