

Class-Action Lawsuit Alleges Avon Discriminated Against Pregnant Women

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By Kristina Monllos

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A New York law firm has filed a class-action lawsuit on behalf of two former Avon employees alleging the beauty company practiced “systematic discrimination” against women “based on pregnancy, maternity and the rights of nursing mothers to pump breast milk at work.” The suit, which was filed today in the United States District Court for the Southern District of New York, takes aim at the company’s branding, specifically its claims that it’s a “company for women.”

The suit alleges, “Avon distinguishes itself from mainstream companies based on its ‘passionate commitment’ to empowering women” and that “because of this branding, women spend millions on Avon products.” The suit goes on to allege that “because of this branding, women apply to work at Avon, believing that the company will empower them to succeed and provide women opportunities for advancement.”

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“In the complaint we filed today on behalf of our clients, individually and on behalf of a proposed U.S. class of pregnant employees and a New York class of women that were discriminated against because they needed to pump breast milk during work hours, Avon must account for why the company ‘for women’ allows such discrimination to occur and why the male leaders of Avon insist on silencing women through the use of forced arbitration to handle complaints rather than the transparent court system,” said Jeanne M. Christensen, a partner at Wigdor LLP, the law firm handling the suit, in an emailed statement.

Wigdor filed the suit on behalf of Caroline Ruiz and Olivera Krstanoska as well as “all other similarly situated female employees.” Both New Avon and Avon Products are named as defendants. In March 2016, Avon spun spun off North American business (now New Avon), which is controlled by the private equity firm Cerberus Capital Management. The suit also notes that while there are two separate entities, the company “continues to brand itself collectively as ‘Avon.’”

“The Company strongly denies claims of discrimination,” said an Avon spokesperson in an email. “It is company policy to not comment on pending litigation. We are very proud of our reputation as ‘the company for women’ and our strong and ongoing commitment to empowering women since our founding over 130 years ago.”

The spokesperson continued: “As a preeminent employer of women, with a workforce comprised of more than two-thirds women, we understand the particular needs working mothers have, and we are committed to supporting them before, during, and after maternity leave. Our dedication to women’s advancement in the workplace includes ensuring work-life balance, a comprehensive benefits package that provides incremental women’s health

features, a generous maternity leave and well-equipped mother's rooms."

The suit alleges that Ruiz, who started working for Avon in January 2018, was made aware of alleged "performance issues" on Feb. 2, "only one day after [Ruiz] informed Avon of her pregnancy." The suit also details how Ruiz had recently found out her pregnancy was "high-risk," that she could possibly miscarry and therefore required bed rest. So, she requested to work from home—something the suit alleges was commonplace at Avon—a request her boss denied, according to the suit. On Feb. 5, the suit states, Ruiz ignored her doctor's orders for bed rest and went in to the office, only to be terminated due to "performance deficiencies."

"Avon intentionally and recklessly placed [Ruiz's] health and pregnancy in jeopardy by compelling her to travel to the Manhattan office on February 5, 2018, just to be terminated," the suit states.

According to the lawsuit, Krstanoska was "subject to discriminatory hostile working conditions and an unsafe work environment" after she disclosed that she was pregnant. Krstanoska, who joined Avon in January 2014 as a microbiologist, was exposed to chemicals, the suit states, that "posed a risk for pregnant women and that could impact detrimentally the healthy development of the fetus."

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