

WeWork, Ex-CEO Biased Vs. Pregnant Women, EEOC Told

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By **Braden Campbell**

Law360 (October 31, 2019, 6:22 PM EDT) -- The former chief of staff to ex-WeWork CEO Adam Neumann on Thursday accused him and the company of sex discrimination, alleging that after going on maternity leave she was demoted and replaced by a better-paid man, and then fired for complaining.

Medina Bardhi detailed her allegations in a charge filed with the [U.S. Equal Employment Opportunity Commission](#), asking the workplace discrimination watchdog to investigate whether the firm, which recently jettisoned Neumann after a **failed initial public offering**, violated federal law by sidelining and underpaying a class of women.

Bardhi's charge focuses on her own experience, but she also alleges the company belittled other pregnant women and pregnancy generally, and that the company routinely pays women less than men for the same work. She includes retaliation and discrimination claims under Title VII of the Civil Rights Act and a discrimination claim under the Equal Pay Act. The charge names WeWork, Neumann and Chief Legal Officer Jennifer Berrent.

[Wigdor LLP](#) founding partner Douglas Wigdor, who represents Bardhi, said Neumann's reported \$1 billion-plus severance package was "astonishing" in light of his and others' alleged mistreatment of Bardhi and other female workers.

"Our hope is that this class action complaint will send a loud and clear message to WeWork and other startups that pregnant women cannot be forced out of their jobs, that women must be paid fairly and afforded equal opportunities, and that you cannot retaliate against any person who voices a complaint of discrimination," Wigdor said in a statement.

Bardhi's EEOC charge, which could lead to a lawsuit, is another setback for a company reeling from the late September cancellation of its initial public offering. In it, the former chief of staff describes "picking up the pieces" of her career following her firing in early October, shortly after returning to work after the birth of her second child.

The sex-based mistreatment started even before she joined the firm, Bardhi alleges. She claims Neumann asked her when she planned to get pregnant at her job interview in October 2013, and has also posed the same question to other job applicants. She became pregnant in March 2016 and was claims she forced to disclose her pregnancy the next month — sooner than the typical timeline — so she would not be forced to sit through marijuana-fueled flights with Neumann.

Neumann and others allegedly belittled Bardhi in the ensuing months, referring to her planned maternity leave as a "vacation" and her pregnancy as a "problem" to be solved, she claims. The company hired a man to replace Bardhi as chief of staff at more than twice her salary, she alleges. After she returned from maternity leave in April 2017, she was denied her old job and marginalized in an unclear new role, though she was ultimately restored as chief of staff, Bardhi added.

But when Bardhi got pregnant again the next year, the company made plans to permanently replace her as Neumann's chief of staff, she alleges. The company did so while she was on leave from late 2018 into early 2019, and Bardhi says she complained about her treatment multiple times between May and August. On Oct. 2, she was fired, she claims.

"It is clear that Ms. Bardhi's firing was motivated by the company's sustained discriminatory bias and retaliatory animus against her and other female employees," the complaint says.

A charge like Bardhi's invites the EEOC to investigate whether a business violated federal discrimination law. The agency may sue WeWork or give Bardhi the right to file her own lawsuit.

A WeWork spokesperson said the company "intends to vigorously defend itself."

"We have zero tolerance for discrimination of any kind," the representative said. "We are committed to moving the company forward and building a company and culture that our employees can be proud of."

Bardhi is represented by Douglas H. Wigdor, Jeanne M. Christensen, Lawrence M. Pearson and Tanvir H. Rahman.

Counsel information for WeWork was not immediately available Thursday.

The case is Bardhi v. The We Co. dba WeWork et al., case number not available, in the U.S. Equal Employment Opportunity Commission.

--Editing by Alanna Weissman.