

Law & Order: FDR

Law & Order: Family Responsibilities Discrimination Edition

Fast-forward a few years. We're no longer in a recession, you're back to eating out six days a week -- tsk, tsk! -- and you've finally been promoted to Assistant Master of the Universe. Oh, and you're about to have a kid.

You've been a Lattice Groupie for years, so you're sufficiently brainwashed: both you and your partner intend to take parental leave in order to cater to your screaming baby's every need during what everyone keeps insisting will be "precious" first months. You're the adventurous one, so you volunteer to go first. You march into your boss's office, head held high, and serve notice that you'll be taking advantage of the company's three-month paid parental leave benefit-- the one they always mention during recruitment interviews. The boss heartily congratulates you. A month later, you're passed over for promotion to Associate Master of the Universe. Jim, who you're pretty sure can't read, becomes Associate Master of the Universe instead, and gives you smug looks at the water-cooler.

Clearly, this is a dramatization -- a brilliant one, yes, but an exaggeration and simplification, nonetheless. I'm not saying that this is going to happen to you or is even likely to happen. Plenty of employees successfully arrange to take time off work for a number of reasons. Still, as a new policy brief by the Sloan Work and Family Research Network points out, family responsibilities discrimination (FRD) is a growing concern. Cases alleging family responsibility discrimination have risen 400% between 1995 and 2005. The problem is that there is currently no federal law and only two state laws that expressly prohibits FRD (ugh, another acronym to remember).

Laws are not cure-alls and it's unwise to rely on the justice system to solve all of our social ills. Lawsuits are costly and time-consuming. Still, this is a nation where the mere mention of "punitive damages" is enough to get businesses in line. Laws, eventually, can set norms. The bottom line is that employment discrimination against workers based on their responsibilities to care for family members is just wrong. It is likely that at some point in your life, you will need to make decisions at work based on your family life: the great majority of people will have children and you cannot predict when a family member will become ill. Your employer should not legally be allowed to hold this against you.

Certainly, federal legislation should protect otherwise well-performing employees from being fired, passed over for promotion, or paid less just because they lawfully take family leave. Women are especially likely to be paid less or passed over for promotion if they are mothers-- thanks to stereotypes associated with what motherhood entails. Not cool, to say the least.

- Liz