



FOR IMMEDIATE RELEASE

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## **Manitoba Human Rights Commission disappointed by dismissal of pregnancy complaint**

A Government-appointed human rights adjudicator has determined that a woman's pregnancy was not a factor in her employer terminating her employment.

The Commission had investigated the complaint and determined that there was sufficient evidence that the woman's pregnancy was a factor in her employer's decision to terminate her employment to send the matter to a hearing before an independent adjudicator.

Ms Blatz held a senior executive position with 4L Communications Inc. and had been rewarded for her hard work in financial compensation and other incentives. It was within months after she told her employer that she was pregnant and would have to limit her work hours that her employment was terminated. Adjudicator Dawson was not prepared to determine that her pregnancy was a factor in the decision and instead accepted the employer's evidence that there were non-discriminatory reasons to terminate Blatz's employment.

Chair of the Board of Commissioners, Yvonne Peters, expressed disappointment with the decision issued yesterday, "This decision raises some concern. We know that discrimination today is not overt and can be very subtle, regardless of whether it is based on pregnancy, ancestry or any of the other grounds *The Code* protects. In reviewing complaints of discrimination, it is important to examine the evidence as a whole and not rely on only direct evidence of discriminatory behaviour. As case law supports, discrimination may be inferred based on the conduct of individuals, especially in cases where an employee is terminated shortly after disclosing pregnancy. In this case, Adjudicator Dawson was not convinced by the Commission's arguments. I would like to reassure the public that the Commission will continue to investigate complaints thoroughly and to send complaints to hearings where it finds that there is sufficient evidence of discrimination or harassment."

The Manitoba Human Rights Commission investigates complaints of discrimination and harassment under *The Human Rights Code*. When there is sufficient evidence to support violations of *The Human Rights Code* the Commission will offer the parties the opportunity to attempt to resolve complaints in a confidential mediation process. If the matter is not resolved in mediation the Board of Commissioners will request that an independent adjudicator be appointed to hold a hearing to determine the complaint. At that hearing, the Commission presents the complaint to the adjudicator in the public's interest.

The Commission is also responsible for educating the public about their rights and responsibilities under *The Human Rights Code*.

Two more discrimination complaints relating to pregnancy are anticipated to be heard publicly during the summer of 2015.

The full decision may be found at

[http://www.manitobahumanrights.ca/publications/legal/decision\\_blatz\\_2.html](http://www.manitobahumanrights.ca/publications/legal/decision_blatz_2.html)

For more information or to arrange an interview please contact:

Pam Roberts  
Human Rights Officer, Communications  
Manitoba Human Rights Commission  
204-726-6262  
Email: [pam.roberts@gov.mb.ca](mailto:pam.roberts@gov.mb.ca)