

EEOC sues Estee Lauder for sex discrimination

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PHILADELPHIA—Estee Lauder Companies, Inc., one of the world's leading manufacturers and marketers of skin care, makeup, fragrance and hair care products, violated federal law when it implemented and administered a paid parental leave program that automatically provides male employees who are new fathers lesser parental leave benefits than are provided to female employees who are new mothers, the Equal Employment Opportunity Commission (EEOC) alleged in a lawsuit it announced Aug. 30.

ESTÉE LAUDER

According to the suit, in 2013 Estee Lauder adopted a new parental leave program to provide employees with paid leave for purposes of bonding with a new child, as well as flexible return-to-work benefits when the child bonding leave expired. Under its parental leave program, in addition to paid leave already provided to new mothers to recover from childbirth, Estee Lauder also provides eligible new mothers an additional six weeks of paid parental leave for child bonding. Estee Lauder only offers new fathers whose partners have given birth two weeks of paid leave for child bonding. The suit also alleges that new mothers are provided with flexible return-to-work benefits upon expiration of child bonding leave that are not similarly provided to new fathers.

The case arose when a male employee working as a stock person in an Estee Lauder store in Maryland sought parental leave benefits after his child was born. He requested, and was denied, the six weeks of child-bonding leave that biological mothers automatically receive, and was allowed only two weeks

of leave to bond with his newborn child. Such conduct violates Title VII of the Civil Rights Act of 1964 (Title VII) and the Equal Pay Act of 1963, which prohibit discrimination in pay or benefits based on sex. The suit seeks relief for the affected employee, and other male employees who were denied equal parental leave benefits because of their sex.

The EEOC's Washington Field Office investigated the charge of discrimination that led to this suit. The EEOC filed suit (EEOC v. Estee Lauder Companies, Inc., Civil Action No. —) in U.S. District Court for the Eastern District of Pennsylvania after first attempting to reach a pre-litigation settlement through its conciliation process. As part of the suit, the EEOC is seeking back pay and compensatory and punitive damages on behalf of the aggrieved class members, as well as injunctive relief.

"It is wonderful when employers provide paid parental leave and flexible work arrangements, but federal law requires equal pay, including benefits, for equal work, and that applies to men as well as women," said EEOC Washington Field Office Acting Director Mindy Weinstein.

EEOC Philadelphia District Office Regional Attorney Debra M. Lawrence added, "Addressing sex-based pay discrimination, including in benefits such as paid leave, is a priority issue for the Commission."

Enforcement of equal pay laws, including targeting compensation systems and practices that discriminate based on gender, is one of six national priorities identified by the Commission's Strategic Enforcement Plan.

The EEOC Philadelphia District Office has jurisdiction over Pennsylvania, Maryland, Delaware, West Virginia and parts of New Jersey and Ohio. Attorneys in the EEOC Philadelphia District Office also prosecute discrimination cases arising from Washington, D.C. and parts of Virginia.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination.

For more information on the EEOC, [click here](#).

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