

AVOIDING FAMILY BIAS

“Family responsibility discrimination” happens when someone feels he or she didn’t get picked for a job or promotion because a supervisor believed the person’s family responsibilities would get in the way of doing the job.

To test your knowledge of such lawsuits – and how to avoid them –
Answer: **True** or **False** to the following:

1. A full-time employee announces she’s pregnant. It’s OK to ask if she’ll continue on a full-time schedule after she has the baby. **TRUE or FALSE**

False. Asking a question like that could lead her, or a judge, to assume that you believe women with children can’t or shouldn’t work full time. The better idea is to wait for her to bring up the subject. Once she does, you can discuss it.

2. You’re interviewing someone for an opening that involves long hours. It’s OK to ask if he or she has outside obligations that might interfere with putting in the hours required. **TRUE or FALSE**

True. Asking if “outside obligations” will interfere with the requirements of the job is legal. However, if you ask such a question, be certain that you ask it of all candidates – male and female alike.

3. To care for an ill spouse, an employee takes leave under the Family and Medical Leave Act, and as a result, misses a deadline. It’s OK to note the missed deadline in the employee’s performance review and to withhold a raise because of it.
TRUE or FALSE

False. Approved leave taken under the Family and Medical Leave Act is considered a “free pass”. You cannot penalize employees whose productivity decreases as a result of taking such leave.

Similarly, if you approve perfect-attendance awards and bonuses, the time taken for such leave cannot be considered when deciding if the employee is eligible for such a bonus.