



Sample Policies on Family Responsibilities Discrimination for Management Policy Manuals

EEO POLICY: EMPLOYEES WITH FAMILY CAREGIVING RESPONSIBILITIES

Policy Option 1:

Equal employment opportunity for all employees regardless of race, color, national origin, religion, sex, pregnancy, age, disability, and any other characteristic protected by law is a fundamental principle at **[Insert Name of the Company]** (the Company). Included within the protected categories of sex and disability are employees and applicants with family caregiving responsibilities. Accordingly, the Company prohibits discrimination against applicants and employees based on such responsibilities. This means that personnel decisions relating to hiring, terms and conditions of employment (including leave), promotion, and termination will not be affected by an employee's status as a parent or family caregiver. Additionally, the Company will not tolerate harassment of or retaliation against employees based on their family responsibilities. This policy applies to mothers and fathers of young, ill or disabled children; pregnant women; and employees with aging, ill or disabled parents, spouses or partners.

Nothing in this policy affects the obligations of employees to perform their job duties in accordance with the performance objectives for their positions and the policies and procedures of this company. All employees, regardless, of their family obligations, are expected to comply with the policies and procedures, including attendance and leave policies, as set forth in the employee handbook.

Policy Option 2:

A growing segment of the workforce consists of employees with family caregiving responsibilities. In order for **[Insert Name of the Company]** (the Company) to remain competitive, we must be able to attract and retain talented and productive employees, including those employees who care for young children or ill and disabled family members. Such employees are more likely to join and stay with the Company and be highly productive if they are able to continue to meet their family obligations. The Company's flexible work policies (see section _____ of the MANAGERS' POLICY MANUAL) are a critical component of our efforts to attract and retain these working caregivers.

Flexibility, however, is not enough. We must create a workplace that is welcoming of employees with caregiving responsibilities. Accordingly, the Company prohibits discrimination against applicants and employees based on their caregiving responsibilities. This means that personnel decisions relating to hiring, terms and conditions of employment, promotion and termination will not be affected by an employee's status as a parent or family caregiver. Additionally, the Company will not tolerate harassment of or retaliation against employees based on their family responsibilities. This policy applies to mothers and fathers of young, ill or disabled children; pregnant women; and employees with aging, ill or disabled parents, spouses or partners.



Nothing in this policy affects the obligations of employees to perform their job duties in accordance with the performance objectives for their positions and the policies and procedures of this company. All employees, regardless, of their family obligations, are expected to comply with the policies and procedures, including attendance and leave policies, as set forth in the employee handbook.

Additional Information that can be Included in Managers' Policy Manual:

Basic Steps for Preventing Discrimination against Caregivers and Retaining Talented Employees

- The first step in preventing discrimination of all types is being mindful of the assumptions that people may have about genders and caregiving.
- Before taking an adverse employment action, ask yourself: Is this decision based on the employee's actual performance? Is there a legitimate job related reason for this decision? If the answer to either question is no, consult HR before taking action.
- When denying an employee's request for leave or a flexible work arrangement for caregiving reasons, consider how you treated other employees with similar requests. Be consistent in your decision making or have a legitimate business reason for taking a different course of action.
- When in doubt, consult HR.

Avoiding Common Biases: Stereotyping of Caregivers

Common biases against caregivers include assumptions that:

- caregivers, including pregnant women, are unreliable;
- mothers are less committed to their jobs;
- mothers should be home with their children;
- mothers are not willing to travel or work long hours;
- mothers are not as competent as non-mothers or fathers;
- men should focus on work and let their wives handle the responsibilities of the family; and
- caregivers that work part-time or flexible schedules are less committed to their jobs.

Often, managers' personnel decisions are influenced by these assumptions, even if they are not aware of it. The influence can be evident through comments made by managers, the timing of decisions, and patterns of decision-making (including how caregiver employees and employees without caregiving responsibilities are treated).



Avoiding Discriminatory Actions: Some Common Examples of Prohibited Employment Decisions

Common workplace interactions can lead to discrimination against employees and applicants with caregiving responsibilities. In each of the following examples, the employment decision was based on the manager's biases or assumptions about how caregivers will or should act in the workplace.

- Denying a mother of young children training opportunities for which she is qualified, while offering these opportunities to men with young children as well as men and women without children.
- Refusing to hire a mother, who is qualified for the position, because you think she should be home with her children or that she will not be able to handle the demands of the job because of her childcare responsibilities.
- Denying family leave to fathers while granting mothers' requests.
- Providing accommodations or light duty for temporary medical conditions other than pregnancy.
- Scrutinizing the performance of an employee who works a flexible schedule so that he/she can balance his/her work and caregiving responsibilities, while similarly situated employees of the opposite gender are held to a lower standard.
- Refusing to promote an employee who is a mother because you assume she isn't willing to relocate, or you think she should have a less demanding job so that she can spend more time with her children.