

# ADR-Negotiations between pregnant woman and furniture construction company

***Office of the Equal  
Opportunities Ombudsperson  
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# Office of the Equal Opportunities Ombudsperson

- Established in 1999 by the Parliament of Lithuania
- Independent state body, accountable to the Parliament
- Monitors implementation of two laws:
  - Law on Equal Opportunities of Women and Men (1999)**
  - Law on Equal Treatment (2005)**

# Competence of the Equal Opportunities Ombudsperson

- Investigates complaints on discrimination  
**ADR (conciliation, mediation, negotiations) are not prescribed to the functions of OEEO by law**
- Submits recommendations and proposals to the Parliament, governmental institutions on the implementation of equality, recommendations on improvement of relevant legislation related to equal treatment.
- Exchanges the information with the other similar EU institutions

**Law on Equal Opportunities  
Law on Equal Opportunities of Women and Men  
are applied to:**

- State and local government institutions and agencies**
- Educational institutions, science and academic institutions**
- Employer to implement equal treatment at work and in public service**
- Implementation of equal treatment in sphere of consumer protection**

# Introduction of the case based on sex discrimination

- Defendant (perpetrator) - private small-size Furniture construction company
- Victim - pregnant woman, working in the position of manager

# Introduction of the victim

- Young woman, working experience 2 years, disciplined employee
- Successful career, promotions at work, the salary was raised a few times
- She was paid bonuses every month (bonuses were not prescribed by labour contract)

# **The woman was discriminated against after she informed the employer about her pregnancy**

- She was paid the base salary without bonuses that were paid in previous months
- She was not allowed to take her annual leave on the dates that was previously verbally agreed with the employer
- A woman left for her vacation and later she was accused in making discipline violations
- She was punished for the discipline breaches

# **The woman was discriminated against after she informed the employer about her pregnancy**

- She was not allowed to work at her previous position as a manager and was sent as a packer to the warehouse
- She was pushed to resign on her own will
- No permission to visit physician during working time
- Finally she was insulted, humiliated, the woman had to work in unfriendly, hostile atmosphere
- Situation caused the complications of her pregnancy and she took a sick list



# Reasons and motivation to apply negotiations

- The pregnant woman was very weak psychologically and physically in general
- She was not willing to apply to the Court
- She had no knowledge on defending her rights
- The main target was to prevent all potential negative consequences that she could suffer in future (dismissal, loss of social benefits etc.)

# ADR process

- Negotiations took place b/w the OEEO and the employer without participation of the victim
- The negotiations process was arranged via phone calls, e-mails and meetings at the OEEO premises
- We did not invite the victim to participate at the meetings in order to avoid unnecessary stress, emotional excitement

# The settlement has been reached

Final agreement signed by the victim, the employer and the Ombudsperson

under following terms:

1. The victim was paid all bonuses that she was refused to get
2. She was appointed to the previous position
3. Discipline breaches have been cancelled
4. She was given the paid annual leave until her pregnancy leave
5. She will be dismissed after her maternity leave (3 years) and she will be paid the compensation of 3 monthly salary

Thank you very much for your  
attention 😊😊😊