



U.S. Equal Employment Opportunity Commission

Press Release

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A.V.I. Sea Bar & Chophouse Restaurant to Pay \$55,000 in EEOC Pregnancy Discrimination Lawsuit

Settles Federal Agency Charges Supervisors Provided Pregnant Hostess a Stool Then Took It Away and Then Fired Her

ST. LOUIS – A.V.I. Sea Bar & Chophouse restaurant, a Wichita steakhouse with an attached catering service known as Corporate Caterers of Wichita, has agreed to pay \$55,000 to a former employee and furnish other relief to settle an employment discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC, hostess Macee Hoffman was provided a stool she used between serving customers to help alleviate foot and back pain due to her pregnancy. Afterward, managers took the stool away and demanded she bring in a doctor's note. After providing a note, she was then fired.

Such alleged conduct violates Title VII of the Civil Right Act of 1964, which prohibits discrimination based on pregnancy. The EEOC filed its lawsuit in U.S. District Court for the District of Kansas (Equal Employment Opportunity Commission v. A.V.I. Sea Bar & Chophouse LLC d/b/a A.V.I. Sea Bar and Chophouse and Corporate Caterers of

Wichita, Civil Action No. 2:21-cv-2428), after first attempting to reach a pre-litigation settlement through its conciliation process. Hoffman, who was seven months pregnant at the time of her termination, later filed a charge of discrimination with the Kansas Human Rights Commission and the EEOC.

The three-year consent decree prohibits A.V.I. Sea Bar and Corporate Caterers of Wichita from violating Title VII in the future, ensures employees are provided copies of the company's pregnancy discrimination and anti-retaliation policy, requires recurring training for all employees on pregnancy discrimination as well as the company's anti-harassment and anti-retaliation policies, and requires pregnancy discrimination and anti-retaliation training for all owners and managers. The company will also regularly report to the EEOC regarding pregnancy discrimination complaints they receive, how they handle any complaints of pregnancy discrimination, accommodations requested by a pregnant employee, and adverse employment actions taken against a pregnant employee.

"No one should be forced out of a position they can perform because they are pregnant," said Andrea G. Baran, regional attorney for the EEOC's St. Louis District Office. "Workers who are fired for pregnancy-related reasons are particularly vulnerable because it can be difficult to find a new job while pregnant. Protecting pregnant workers from discrimination and retaliation is good for business, our community, and families, and it's the law."

"Employers must follow the law when accommodating pregnant employees and cannot retaliate against workers who seek accommodations," said David Davis, acting director of the EEOC's St. Louis District Office. "Federal protections for pregnant workers are expanding, including the Pregnant Workers Fairness Act (PWFA), which will take effect on June 27, increasing the importance of training employees, managers, and business owners regarding their legal obligations to ensure fair and lawful treatment of pregnant workers."

The EEOC's St. Louis District Office is responsible for receiving and investigating charges of employment discrimination and conducting agency litigation in Missouri, Kansas, Oklahoma, Nebraska, and a portion of southern Illinois, with area offices in Kansas City, Kansas and Oklahoma City, Oklahoma.

For more information regarding pregnancy discrimination, please visit

<https://www.eeoc.gov/pregnancy-discrimination> (<https://www.eeoc.gov/pregnancy-discrimination>).

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at [www.eeoc.gov \(http://www.eeoc.gov\)](http://www.eeoc.gov). Stay connected with the latest EEOC news by subscribing to our [email updates \(https://public.govdelivery.com/accounts/USEEOC/subscriber/new\)](https://public.govdelivery.com/accounts/USEEOC/subscriber/new).