

SmallBiz

Dena Lockwood Was Fired When She Called in Sick to Care for Her Daughter

Dena Lockwood lost her job when she stayed home to care for her sick daughter.

By ABC News

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Jan. 29, 2010 — -- Dena Lockwood of Chicago never would have thought that her daughter Lily's nasty case of pinkeye could [cost her a job](#) she'd had for more than two years.

But when Lockwood [called in sick](#) one Friday in 2006, that's exactly what happened, her manager telling her that she was being fired minutes after she'd explained that her 4-year-old's illness required her to stay home for the day.

"I kept asking my manager, 'Why?' and he said it just wasn't working out," said Lockwood, who was working as a sales representative at Chicago-based Professional Neurological Services Ltd. to support her two children. "I told him that he certainly couldn't fire me just because my daughter had pinkeye, and I got no response."

So Lockwood, 39, who said she was "100 percent sure she was being discriminated because she had children," took her case to the Chicago Commission on Human Relations, a city agency that

is responsible for [enforcing policies on employee discrimination](#), often for circumstances that are not covered by federal or state laws.

After nearly three years of litigation, the commission ruled in her favor late last year, granting her more than \$215,000 in damages and nearly half that in attorney fees.

"A lot of people have this belief that you can't get this much in damages from administration agencies and that you'd get more in state or federal court," said Ruth Major, Lockwood's attorney.

The commission's review of the case alerted Lockwood to several red flags that she failed to recognize as warning signs of discrimination, she said.

For example, during an interview with the company that eventually hired her, the sales manager asked her whether having children would "prevent her from working 70 hours a week." She responded that it would not.

Lockwood took her case to the city-level Commission, rather than federal court, because Major did not think they would win filing the complaint under federal laws prohibiting discrimination based on gender because the employees at the company were mostly women at the time.

"This case does send a message that administrative agencies will address conduct by employers and award meaningful damages in areas that [federal law] cannot," Major said.

Lockwood's case is now being lauded by employee rights advocates such as the Center for WorkLife Law at the University of California Hastings College of the Law, who say they hope the verdict will shed light on how effective local laws can be in cases involving family responsibility discrimination, or circumstances when employees are penalized at work because of their care giving duties at home.

Richard Steck, the attorney for Lockwood's employer, did not return messages left by ABCNews.com for comment. But he told the Chicago Tribune that he was planning to appeal the ruling on behalf of his client.



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