Non-Discriminatory Reason Supported Pregnant Worker’s Reduction in Hour



Restaurant worker claimed her hours were reduced shortly after she announced she was pregnant. She also claimed that a dispute about these reduced hours led to a miscarriage and that she was mislead by a faked schedule to believe she was not scheduled to work and so didn’t return to work. She claimed discrimination. The manager argued that the parent company owning the restaurant cut its hours of operation and the manager had to reduce hours for all workers according to seniority, as required by the collective agreement. The manager attributed the reduction in hours to these circumstances and said the pregnancy was unrelated. The human rights tribunal ruled that the worker’s claims were speculative, there was a nondiscriminatory reason for the reduction in hours and the worker had no evidence the schedule was faked. Thus, the tribunal dismissed the complaint [*Li v. Sihota*, [2014] BCHRT 70 (CanLII), Mar. 26, 2014].