

Why Is It Still Legal to Profile Working Moms?

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In 1994, Kiki Peppard, a single mother of two, moved to eastern Pennsylvania desperate for employment to support her family. And her strategy worked: the savvy job hunter managed to score 19 interviews. But each time a prospective employer learned that Ms. Peppard had children, the interview abruptly ended and she was not offered the job. It was only when one employer did not ask about Ms. Peppard's maternal status that the single mother was offered a position.

Sadly, Ms. Peppard's story is not unique. Countless women report being asked if they have children or if they plan to have children, agreed Lisa Quast recently in *Forbes Magazine*. And if the answer is affirmative, the interview is ended and these women are summarily kicked out the door. Indeed, this epidemic of "mommy profiling" has become so severe it was the subject of *The Motherhood Manifesto*, a documentary executive-produced by Joan Blades, cofounder of the family-rights organization MomsRising. Kiki Peppard's quest for employment kicks off the film.

"Mommy profiling" is defined as "employment discrimination against a woman who has, or will have, children." Says MomsRising's other founder, Kristin Rowe-Finkbeiner,

Mothers are 79 percent less likely to be hired than non-mothers with equal resume and experiences. ... Women without children make 90 percent [of a comparable man's salary], as compared to 73 percent for women with children and 60 percent for single moms. ... Mothers were offered \$11,000 less in starting pay than non-mothers with the same resumes and job experiences, while fathers were offered \$6,000 more.

How is it possible that in 2013 in the United States women can still be discriminated against when seeking employment, experience such economic disparity or even be passed over for promotion because of being a mother? Because it is still legal in Pennsylvania—and 27 other states—to engage in "mommy profiling"—to question an employee's maternal status and deny employment because of what the answers to the questions reveal.



"One employer," says Peppard, "said that he did not want to pay the cost of my children's healthcare bills." Other employers claim that women with families take too much time off for maternity leave.

But studies have shown that employees who have to take time off for sick leave due to lack of exercise, poor diet or other bad health habits take much longer leave than that allotted to new mothers—and are much less productive than new mothers when returning to the job. Employees who are caring for aging relatives take even more time off than new mothers.

So why is it that mothers are the ones being discriminated against? If employers are claiming that they are screening out prospective lost time and lost revenue, should they not screen for these other factors as well? Better yet, why can't employers just treat everyone equally and not discriminate at all—as the Equal Opportunity Employment Act intends?

Peppard has devoted herself to fighting against "mommy profiling" so that other women will not have to undergo the injustice that she has faced throughout much of her career. After six years of letter writing, she convinced Sen. Jane Orie and Rep. Draig Dally, to introduce a bill in the Pennsylvania state Senate to prevent employers from asking "mommy profiling questions," but the bills have never made it from committee to the floor for a vote.

"I've been trying to get this changed for the last 18 years and it's very, very frustrating," says Peppard. "I don't understand it."

Recently, it got even worse. After moving to another district in Pennsylvania, Peppard **reported** to Blades (who also cofounded MoveOn.org) for The Huffington Post:

I contacted my new member of the House of Representatives several times seeking his support and asking him to introduce new legislation (again) to prohibit employers from asking job candidates about their marital/family status during job interviews. He finally called me back and said not only would he never ever introduce such legislation, if he heard that someone else did, he would devote all of his time and efforts to see to it that the bill failed. He said he would never endorse any laws that would interfere in how businesses are run or take away any rights of a business owner.

Peppard thought it might be time to finally give up the fight and leave it for her granddaughter. But then she realized that that was not the legacy she wanted to leave for the next generation of women. Now she is appealing to President Obama, through the **White House Council on Women and Girls**, to mandate anti-"mommy profiling" laws on a federal level. Her hope is that the federal government will step in where her state so shamefully refuses to.

And for the sake of all the mothers among us, let's hope it does.

*Image of "Beast of a Job Interview" from Flickr user **Mike Licht** under license from **Creative Commons 2.0***

