

Money



TAIMY ALVAREZ/STAFF PHOTOGRAPHER

Rayna Katz, a former human resources director for Deerfield Beach-based GR Restaurant Management Group, with her six-month-old daughter, Emma, at her home in Weston.

Ex-HR director's suit claims pregnancy discrimination

The restaurant company, along with a pre-fabricated metal business, is owned by Gary Rack and his twin sons, Anthony and Adam Rack.

BY MARCIA HEROUX POUNDS
Staff writer

As human resources director for a South Florida restaurant group, Rayna Katz said she was instructed to search on Facebook to see if job candidates for a bookkeeping job were "married, had any children or were of childbearing age."

When she became pregnant herself and suffered complications, Katz said she was harassed about taking time for doctor's appointments, and finally was replaced and then fired by Deerfield Beach-based GR Restaurant Management Group and its related companies.

In a lawsuit filed Monday in U.S. District Court, Katz alleges pregnancy discrimination and retaliation for raising concerns about unlawful employment practices. The restaurant company, along with a pre-fabricated metal business, is owned by Gary Rack and his twin sons, Anthony and Adam Rack.

The Racks did not return repeated calls on Tuesday seeking comment.

The company also failed to address sexual harassment complaints made by female employees, joking about Katz's request to conduct sexual harassment training, according to the lawsuit. The former HR director claims she was told to hire only younger male employees for the metal business.

The case is "one of the most egregious examples of discriminatory and reckless conduct I've seen," said her lawyer Dana Gallup, who has been practicing employment law for 20 years.

Katz received a "right to sue" determination from the EEOC. The lawsuit asks for damages of more than \$15,000 for violations of state and federal laws against pregnancy discrimination, gender discrimination and retaliation for complaining about retaliation.

Katz, 33, was human resources director of the group of companies that include Gary Rack Restaurant Management Group, owner of Boca Raton restaurants Racks

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Downtown Eatery and Tavern and Table 42; as well as U.S. Building Systems and International Buildings in Deerfield Beach.

The former HR director, who hired in July 2011 when she was engaged, said she didn't immediately disclose her pregnancy the following November after hearing disparaging comments in the workplace about women and pregnancy. Katz said she had complaints from women in the office about Anthony Rack "name-calling" when two women went into the restroom together.

After being asked to search through Facebook for potential hires, Katz advised co-owner Gary Rack that he could not legally base hiring decisions on the marital or family status of the applicants. Rack told her: "This is my company and I can do whatever I want," according to the lawsuit.

In late 2011, Katz said she reluctantly confirmed to Gary Rack that she was pregnant, following speculation about her doctor's appointments and signs of morning sickness.

On Dec. 28 of that year, Katz was having pregnancy complications and told the Racks that she needed to see her doctor every two weeks. Her relationship with the Racks began to deteriorate, Katz said. By January, Gary

Rack told Katz to find a replacement for her maternity leave. She advised Rack that wouldn't be taking leave until July, but he insisted she hire someone immediately to take her place.

The Racks then gave the new hire all of Katz's duties, according to the lawsuit.

Katz said she was fired in April 2012 for "disparaging" the company. The Racks taped a conversation Katz had with an insurance agent during which the agent complained about her treatment by Anthony Rack. The agent told Katz she was working in a "hostile" workplace.

Unemployed when she was nine months pregnant, "I was sitting there with Braxton Hicks contractions thinking I might have a baby at Workforce One," said Katz, referring to Broward's employment agency.

GR Management tried to fight Katz's claim for unemployment compensation, but she won state benefits. During the hearing, Gallup said Anthony Racks admitted illegally taping Katz's conversations.

Katz said she decided to sue because "they shouldn't get away with treating women like this, especially pregnant women who are going through emotional stress."

"I did nothing wrong," she said. "I'm doing the right thing."

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