

CITY SCENE

BUY LOCAL, SUPPORT LOCAL

This is our motto at Fifth Third Bank in Grandview and we want to help support our community business owners!

Every Friday, we promote a different local business and would love to help promote all of our Chamber members.

As part of this program, you would provide a “give-away” from your business and any marketing materials you would like to display on a table in our lobby. We will enter our customers into a drawing to win this give-away and will display signs throughout the branch promoting your business throughout the weekend.

Thus far, we have promoted the following businesses and our customers have loved it! SAX Fifth Ave Car Wash, Penn Station, Rotolo’s, KFC, Rife’s Auto body, Acorn Books, Tom and Jerry’s Auto Services

If you are interested in participating, please contact Alyssa Booms at (614) 486-6657, or alyssa.booms@53.com.



Photo by Brad Smith Photography

From L to R are: Alyssa Booms, Manager of 5/3 Bank; Michelle Wilson, Grandview Area Chamber; Suzy Sullivan of Tom & Jerry's; and Jerry Schwan of Tom & Jerry's



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*Discount only applies to Chamber members who do not already have Anthem insurance.
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THE BOTTOM LINE

THE PITFALLS OF PREGNANCY DISCRIMINATION

by Mary L. Pisciotta, Esq.

The Ohio Supreme Court recently decided a case involving the question of whether an employer discriminates against an employee because of lactation. In *Allen v. Totes/Isotoner Corp.*, the plaintiff, a new mother who was nursing took breaks to pump her milk without obtaining permission from her employer. The plaintiff admitted that for approximately two weeks, she had taken breaks without her employer's knowledge or authorization to do so and that her supervisor had told her that she was being terminated for her failure to "follow directions." After termination, the plaintiff filed suit against the employer claiming sex discrimination under the Ohio Fair Employment Practices Act as amended by the Pregnancy Discrimination Act.

The Ohio Supreme Court affirmed judgment in favor of the employer. The court held that the employer had a legitimate, nondiscriminatory reason for terminating the new mother's employment, namely, taking unauthorized breaks. The court held that Isotoner terminated plaintiff for failure to follow directions and had not discriminated based on the plaintiff's pregnancy. Because the plaintiff's sex-discrimination claim was defeated as a matter of law, the Ohio Supreme Court did not address the issue of whether alleged discrimination due to lactation is included within the scope of Ohio's employment discrimination statute as sex discrimination.

An Ohio appellate court also recently addressed a pregnancy discrimination issue as it related to leave policies. In *Nursing Care Mgt. of America, Inc. v. Ohio Civil Rights Comm.*, Pataskala Oaks, a nursing home, hired plaintiff as a licensed practical nurse. Pataskala Oaks had a leave policy that permitted 12 weeks of leave for those employees with at least one year of service. Eight months after starting her job, the plaintiff provided Pataskala Oaks with a physician's note that she was medically unable work due to pregnancy related swelling and she could return to work six weeks following her pregnancy. Pataskala Oaks terminated plaintiff three days after the birth of her child. The appellate court held that the termination constituted sex discrimination. The Pregnancy

Discrimination Act specifies that "if the employer has no leave policy, childbearing must be considered by the employer to be a justification for leave of absence for a female employee for a reasonable period of time."

These two cases illustrate the potential pitfalls involved in pregnancy discrimination analysis. Regardless of an employer's leave policy, a pregnant employee must be afforded a reasonable leave of absence for childbearing. The length of time considered reasonable depends on the specific circumstances of each case and could substantially increase with complications in the pregnancy. After childbirth, the Pregnancy Discrimination Act does not require reasonable breaks for lactation and other pregnancy related issues; however, an employer should still be sure to treat new mothers equally to other employees. Employers should also keep in mind that in 2005, Ohio passed a law entitling mothers to breast feed in all places of public accommodation so Ohio has a strong public policy allowing public nursing. In sum, if an employer affords employees breaks, it must equally provide lactating women breaks to pump.

** Please be advised that this article does not create an attorney-client relationship. This article is only a summary of the law and should not be considered a substitute for legal advice.*

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EXPERIENCE COLUMBUS

Experience Columbus is committed to marketing Greater Columbus to visitors and convention groups. Annually, visitors to the Greater Columbus area spend **\$7.23 billion** at area restaurants, hotels, shops and attractions. The dollars spent in our community add to the vitality and quality of life all of us enjoy. As a member, your investment not only will support our ongoing marketing and sale efforts, but also will provide you opportunities to grow your business to new customers.

By joining, your business will be marketed to visitors and convention attendees. Your annual investment provides you with a comprehensive package that includes:

- **Listing and a link to your company's Web site** on ExperienceColumbus.com. More than 3 million visitors, convention planners and group tour operators visit our Web site every year.
- A listing in 400,000 copies of the **Columbus Visitor Guide**, distributed to convention attendees and visitors. And inclusion in the **Columbus Convention, Meeting & Event Planning Guide**, sent to 5,500-plus meeting planners.

- **Referrals to meeting and event planners and visitors** requesting contact information of our local business partners.
- **Networking events** to attend; opportunities to promote your business to Experience Columbus staff, tour groups and other member organizations; and, much more!

Thanks to our partnership with the Grandview Area Chamber, we are able to offer a discounted membership for new members to Experience Columbus if you are a member of the chamber. In addition, if you join by May 21st you will receive a complimentary PGA pass and ticket to our Experience Columbus Hospitality House at The Memorial Tournament for Wednesday, June 2nd (\$85 value).

**If you need more information, call Melissa DeGraw Metz at 614-222-6126 or e-mail MDeGrawMetz@ExperienceColumbus.com*



Art WE Love Event at Glass Axis Studios, Kristy Smeltzer blowing a glass ornament



Art WE Love Event at Glass Axis Studios



Art WE Love Event at Glass Axis Studios, Open Door Art Display

**GRANDVIEW AREA
CHAMBER OF COMMERCE**

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Grandview Heights City Schools, 614.481.3600
eoreilly@grandviewschools.org

Kent Studebaker, *Mayor*
Village of Marble Cliff, 614.488.6993

WELCOME NEW MEMBERS

Accent on Nature
Angela Zeigler
1435 Grandview Avenue
Columbus, OH 43212
(614) 486-7333
www.accentonnature.com

Avida Physical Therapy
Carol Sauer Albright
1391 Dublin Road
Columbus, OH 43215
(614) 487-9715
www.avidapt.com

Infintech
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Cincinnati, OH 45241
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www.inifintechllc.com

Goodale Pro Hardware
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www.goodalehardware.com

CME Federal Credit Union
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365 S. 4th Street
Columbus, OH 43215
(614) 222-3352
www.cmefcu.org

CareWorks USA
Jamie Coburn
5555 Glendon Court
Dublin, OH 43016
(614) 312-9753
www.careworks.com

Commercial & Industrial Maintenance
Anthony Dunnagan
5200 Fisher Road
Columbus, OH 43228
(614) 851-8570

Gina's
Gina Leslie
1279 Grandview Avenue
Columbus, OH 43212
(614)485-0523

The Grandview Area Chamber of Commerce gratefully acknowledges the sustaining sponsorship and continued support of the following businesses:

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The **Arlington Bank**



Hilton Garden Inn
Columbus-University Area

COLUMBUS
YOUNG PROFESSIONALS CLUB
WWW.CYFCUB.COM

Calendar of Events

- May 11 Coffee & Coaching: **Exploring the Myths of Reading Faster to Understand More—How Speedreading Can Help You Cope With the Information Explosion.** 7:30-9:00 a.m. 1500 W. Third Avenue, Suite 22. Free for GAC Members, \$5 for non-members. Register and pre-pay online at www.grandviewchamber.org.
- May 13 Monthly Luncheon: 11:30-1:00 at the Loth Building, 855 Grandview Avenue. Luncheon Program: Cameron Mitchell. \$15 for GAC Members, \$20 for non-members. Register & Pre-pay online at www.grandviewchamber.org.
- May 25 Coffee & Coaching: **Understanding the FMLA Act.** Jamie Coburn of CareWorks will lead us through the sometimes difficult-to-understand policy and make all of us feel a bit more educated and aware of employee/employer rights. 7:30-9:00 a.m., Marshall's Restaurant, 1105 W. First Avenue. Free for GAC Members, \$5 for non-members. Register and pre-pay online at www.grandviewchamber.org.
- June 8 Coffee & Coaching: Aaron Forbes, Sales & Service Advocate for Nationwide Insurance will talk to us about the new and unique initiatives he handles for Nationwide. Free for GAC Members, \$5 for non-members. Register and pre-pay online at www.grandviewchamber.org.
- June 10 Speed Networking Breakfast (replaces monthly luncheon). Location TBD. 7:30-9:00 a.m. Get your elevator speech polished and ready for this fast-paced, business-focused setting. You'll sit across from other professionals to learn about they do and promote what you do. In fine Columbus tradition, the cowbell will ring after one minute and it's time to do it all over again. It's a fun, fast-paced way to start your day. \$15 for GAC Members, \$20 for non-members. Register & Pre-pay online at www.grandviewchamber.org.
- June 29 Coffee & Coaching: **Mini-Medical Plans:** Gary Bast, Owner of Town & Village Insurance will enlighten the group about Mini-Medical plans. These plan offer small businesses another option when it comes to insurance benefits and can save individuals a lot of money. 7:30-9:00 a.m., Marshall's Restaurant, 1105 W. First Avenue. Free for GAC Members, \$5 for non-members. Register and pre-pay online at www.grandviewchamber.org.



Chamber Newsletter Committee:
Alyssa Booms, Jill Gerschutz, Mary Pisciotta,
Michelle Wilson and Barb Wise
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