

Comedian Mo’Nique Sues Netflix for Pay Discrimination Based on Race/Gender

Comedian and actress Mo’Nique sued Netflix today alleging pay discrimination based on race and gender and violations of both CA and federal discrimination law.

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□Comedian Mo’Nique Sues Netflix for Pay Discrimination Based on Race/Gender

LOS ANGELES, CA., Nov. 14 – Comedian and actress Mo’Nique sued Netflix today alleging pay discrimination based on race and gender, among other things, and violations of both California and federal discrimination law, announced her lawyers at the deRubertis Law Firm, APC and Schimmel & Parks, APLC.

In the Los Angeles Superior Court complaint, Mo’Nique alleges that Netflix’s homogeneous management is insensitive and discriminatory toward black workers and perpetuates pay inequity especially against black women.

“Netflix is one of Hollywood’s most innovative companies, yet it not only perpetuates racial and gender inequality, it also takes advantage of a gender pay gap that disproportionately affects black women, who nationwide make only 61 cents for every dollar white males bring home,” says Mo’Nique’s lawyer Michael W. Parks. “When Mo’Nique, one of the most well-known black female comedians in America, faced that anachronistic attitude, she knew it was time to challenge the status quo.”

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David M. deRubertis

Netflix’s dominance of the stand-up comedy market has a particularly negative effect for black female comedians the network hires for comedy specials, the lawsuit explains. After being aggressively recruited by Netflix’s stand-up programming staff, Mo’Nique was offered a mere \$500,000 for a comedy special for which she would contribute the content, while Netflix would retain copyright and total control of almost every other aspect of the production and distribution. A \$500,000 offer may seem like a lot of

money, but pay is relative. That offer paled in comparison to what Netflix consistently pays both white comedians and black male comedians for similar work.

In contrast to the \$500,000 offer to Mo’Nique, the lawsuit asserts, other white male or female



David deRubertis, firm principal at The deRubertis Law Firm, APC

and black male comedians received deals at or above \$20 million per comedy special. The lawsuit also alleges that, when Mo’Nique spoke up against what she believed was a discriminatory offer, Netflix responded retaliatorily by refusing to negotiate in good faith with her. In contrast, when white female comedian Amy Schumer was initially offered \$11 million for an hour-long comedy program, Netflix negotiated in good faith with Schumer and upped its offer to \$13 million. Then, after Mo’Nique objected to her discriminatory offer, Netflix acknowledged it needed to do better with black comedy specials and it renegotiated the previous “low-ball” offer it made to black female comedian Wanda Sykes, allowing Sykes to “move the comma,” in her words. But according to the lawsuit, Netflix retaliatorily refused to similarly renegotiate its offer to Mo’Nique after she called Netflix out for this act of pay inequity.

“In recent years, the spotlight has appropriately shined on the gender pay inequities that continue to plague the American workforce. By this lawsuit, Mo’Nique is taking a stand against the most severe pay gap of all: the pay gap experienced by black women in the American workforce,” says David M. deRubertis, who also represents the plaintiff. As alleged in the lawsuit, according to deRubertis, “Netflix praised and courted Mo’Nique, recognizing that she had the skill, talent and experience for the work it offered to her. But it then perpetuated the racial and gender pay gap by making an offer that was a mere token of what it consistently pays white comedians or black male comedians for similar work.”

The lawsuit also alleges that Netflix failed to diversify its “whites-only” C-suite and board until forced to by public pressure, tolerated an upper-level manager’s persistent use of the “n-word,” and permitted the leading star in a renowned series to abuse black employees and contractors. The complaint provides examples of the network’s alleged double standards, with approved expense account items favoring traditional male activities while denying female pursuits, and pay inequity that resulted in the lead female star of a popular series receiving thousands of dollars less per episode than a supporting male cast member.

□The case is Hicks v. Netflix, Case No. 19STCV40934 (LA Sup. Ct. Nov. 14, 2019).

Schimmel & Parks, APLC, based in Los Angeles, is a plaintiff’s trial and litigation law firm representing employees and individuals in employment, consumer, catastrophic property damage and personal injury matters. The principals of Schimmel & Parks, APLC, Alan Schimmel and Michael Parks, are both recognized as Southern California “Super Lawyers” and they both hold the prestigious “AV” rating given by Martindale-Hubbell to select attorneys across the country.

The deRubertis Law Firm, APC is a Los Angeles-based boutique litigation firm representing employees in discrimination, whistleblower, sexual harassment, wrongful termination, retaliation matters, as well as catastrophic personal injury and wrongful cases on behalf of plaintiffs. Firm principal – David deRubertis – has been recognized as “Trial Lawyer of the Year” by the Consumer Attorneys Association of Los Angeles, California “Lawyer of the Year” in Employment Law (CLAY Award), Best Lawyers “Lawyer of the Year – Employment Law Individuals (Los



Michael Parks, firm principal at Schimmel & Parks, APLC

Angeles)" twice, among many other honors.

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