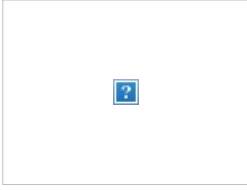


## COMPANY WILL PAY \$30,000 FOR NOT ACCOMMODATING APPLICANT WITH DISABILITY



A company has agreed to pay 30,000 dollars in resolution of a disability discrimination lawsuit. G2 Secure Staff, LLC, a staffing business based in Texas, was sued by the Equal Employment Opportunity Commission (EEOC) in September of this year on behalf of a man who had applied for a job at the company but was not hired. As per the agreement, G2 Secure Staff will also be taking steps to ensure that those with disabilities are accommodated in the future. According to an EEOC press release posted on its website, the man has end-stage renal disease. Due to his condition, his kidneys do not function, and the man cannot urinate. In May of 2010, the man applied for a shift supervisor position at the company's facility at Raleigh-Durham International Airport in Raleigh, NC. The applicant had completed every requirement for employment at G2 Secure Staff, excluding the drug test. Because he could not urinate, he requested utilizing a hair sample in lieu of a urinalysis for the necessary test. The company denied the man the opportunity to provide a hair sample or any alternate method for a drug test for employment. As he was unable to submit a completed test, he was not hired for the position. The EEOC's suit charged G2 Secure Staff with declining to accommodate an applicant with a disability. Since the company had failed to accommodate the man during the hiring process and likewise not hiring him (presumably due to his disability), the Americans with Disabilities Act (ADA) would have been violated. The EEOC, after trying to reach a pre-litigation settlement, filed a lawsuit in the U.S. District Court for the Eastern District of North Carolina.



To resolve the lawsuit, G2 Secure Staff will pay the man 30,000 dollars. The resolution also entails "injunctive relief," which would prevent the company from involving itself in any disability discrimination or retaliation against the people who complain about it. G2 Secure Staff will revise its anti-discrimination policy, at least two of the revisions being a process for requesting reasonable accommodation as according to ADA guidelines and a clarification of the employer's responsibility to actively accommodate an employee when such a request has been made. Additionally, the company will post a notice detailing the settlement and will conduct training on ADA-specific obligations. "We are pleased that we were able to resolve this case," said Lynette A. Barnes, Regional Attorney for the EEOC's district in Charlotte, NC, which also covers the Raleigh Area Office where the charge was filed. "This was a situation where based on EEOC's allegations in the complaint, EEOC contends that the employer could have easily made the requested accommodation and avoided this entire process. This case shows that the EEOC will vigorously prosecute cases where the employer refuses to provide a reasonable accommodation that would enable a person to be hired."