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PRESS RELEASE

12-12-16

Wal-Mart to Pay \$75,000 to Settle EEOC Disability Lawsuit

Giant Retailer Unlawfully Denied Accommodations to and Harassed Cancer Survivor at Illinois Store, Federal Agency Charged

CHICAGO - Wal-Mart Stores Inc. will pay a former employee \$75,000 to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

EEOC's lawsuit charged Wal-Mart with violating federal discrimination law when the giant retailer failed to accommodate Nancy Stack, a cancer survivor with physical limitations, and subjected her to harassment based on her disability. Stack worked at a Walmart store in Hodgkins, Ill.

As a workplace accommodation, Stack needed a chair and a modified schedule. EEOC alleged that while the store provided Stack with a modified schedule for a period of time, it revoked the accommodation for no stated reason. Further, according to EEOC, the store did not ensure that a chair was in Stack's work area, telling her that she had to haul a chair from the furniture department to her work area, a task that was difficult, given her disability. Making matters even worse, EEOC alleged that a co-worker harassed Stack by calling her "cripple" and "chemo brain."

Wal-Mart's alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits discrimination on the basis of disability, which can include denying reasonable accommodations to employees with disabilities and subjecting them to a hostile work environment. EEOC filed suit in U.S. District Court for the Northern District of Illinois, Eastern Division (Equal Employment Opportunity Commission v. Wal-Mart Stores, Inc.; Civil Action No. 15-cv-5796.)

Wal-Mart will pay \$75,000 in monetary relief to Stack as part of a consent decree settling the suit, signed by U.S. District Judge Sharon Coleman on Dec. 6th. The two-year decree also provides additional, non-monetary relief intended to improve the Hodgkins store's workplace. Under the decree, the store will train employees on disability discrimination and requests for reasonable accommodations under the ADA. The Walmart store will also monitor requests for accommodation and complaints of disability discrimination and report those to EEOC.

"Wal-Mart refused to provide simple, effective and inexpensive accommodations in the form of a chair and modified schedule and failed to protect Stack from mocking because she had cancer," said John Hendrickson, regional attorney of EEOC's Chicago District Office. "Both the failure to provide accommodations and to stop the harassment violated federal law, and we are pleased with today's settlement. Ms. Stack will receive monetary recompense from Wal-Mart, and the company will be required to educate its workforce on employees' rights and on its own obligations under the law."

EEOC's Chicago District Office is responsible for processing charges of employment discrimination, administrative enforcement, and the conduct of agency litigation in Illinois, Wisconsin, Minnesota, Iowa and North and South Dakota, with Area Offices in Milwaukee and Minneapolis.

EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our email updates.

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