**Companies Must Pay $120,000 In EEOC Suit**

Conduent State and Local Solutions, Inc., a business services provider that operates the New York E-Z Pass toll collection system, and Broadleaf Results, Inc., an employment agency, will collectively pay $120,000 and furnish other relief to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC).

According to the EEOC’s lawsuit, an employee was placed by Broadleaf to work as a customer service representative at Conduent’s E-ZPass Customer Service Center in Staten Island. The employee notified both Broadleaf and Conduent supervisors that she was having difficulties hearing customer calls and requested an accommodation for her hearing-related condition, ultimately requesting a meeting with management to discuss the status of her accommodation request.

However, the employee was told by a Broadleaf manager, “If you cannot hear, then you can’t do the job,” and was fired immediately. Following the employee’s termination, Conduent failed to take corrective action within its control to remedy Broadleaf’s termination decision, which Conduent knew or should have known was discriminatory, the EEOC said.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which requires employers engage with applicants and employees to provide reasonable accommodations for disabilities and prohibits employers from taking adverse actions against qualified employees based on disability.

The two consent decrees settling the suit provide a total of $120,000 in lost wages and other damages, along with significant non-monetary relief designed to prevent further discrimination by both Broadleaf and Conduent in the future.

These provisions include injunctions prohibiting both Broadleaf and Conduent from discriminating against employees and contingent workers providing services on behalf of client-employers based on disability; updates to each company’s internal policies; and mandatory training for management employees about federal anti-disability discrimination law.

“In an economy where more companies are turning to staffing agencies to procure workers to perform essential business functions, both client employers and staffing agencies should have processes in place to ensure that workers with disabilities can request accommodations to allow them to perform the job’s essential functions,” said EEOC regional attorney Jeffrey Burstein.

“Client employers cannot hide behind staffing agencies as the employer-of-record to evade their obligations under the ADA, including their obligation to provide a reasonable accommodation to workers with disabilities.”

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination.