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**FOR IMMEDIATE RELEASE**

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**GEORGIA POWER TO PAY OVER $1.5 MILLION TO SETTLE**

**EEOC DISABILITY DISCRIMINATION SUIT**

***Company Refused to Hire Applicants and Fired Employees Based on their Disabilities,***

***Federal Agency Charged***

ATLANTA – Georgia Power Company, an electric utility company headquartered in Atlanta, will pay $1,586,500 to settle a class disability discrimination lawsuit brought by the U.S. Equal Employment Oppor­tunity Commission (EEOC), the agency announced today.

EEOC filed suit in 2013, charging that Georgia Power Company violated federal law by refusing to hire applicants and firing employees based on their disabilities or perceived disabilities. According to EEOC’s complaint, in some cases, Georgia Power disregarded the opinions of treating physicians who supported the employees’ and applicants’ ability to work. Rather than independently evaluating each employee or applicant, Georgia Power simply refused to hire disabled applicants or return employees to work following a medically related absence, the agency alleged. EEOC said that in other cases, Georgia Power automatically disqualified employees and applicants under its seizure policy or its drug and alcohol policy, without individually assessing the employees’ or applicants’ ability to work. The company’s discriminatory policies and practices affected 24 individuals, EEOC said.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits employers from discriminating against employees and applicants who have actual disabilities, have a record of a disability or whom the employer perceives as having an actual disability. EEOC filed suit (EEOC v. Georgia Power Company, Civil Action No. 1:13-cv-03225-AT) in U.S. District Court for the Northern District of Georgia, Atlanta Division after first attempting to reach a pre-litigation settlement through its concili­ation process.

The consent decree settling the suit was filed with the court on November 15, 2016. In addition to monetary relief totaling $1,586,500, Georgia Power has agreed to change both its seizure policy and its drug and alcohol policy to ensure compliance with the ADA. Georgia Power also agreed to provide equal employment oppor­tunity training to its employees and to post anti-discrimination notices at its facilities. In addition, the three-year decree requires Georgia Power to be subject to reporting and monitoring requirements. This will include the obligation to report to EEOC each time that Georgia Power does not hire an applicant because of a disability or does not allow an employee to return to work because of a disability.

“We are pleased that we were able to resolve this suit and can provide meaningful relief to individuals with disabilities who wanted to work,” said EEOC General Counsel David Lopez. “Importantly, the changes made to Georgia Power's policies will open the doors to employment opportunities.”

EEOC District Director Bernice Williams-Kimbrough said, “An employer cannot refuse to hire or return an employee with a disability to work without doing an individualized assessment of that person and determining whether the employee or applicant can perform the job with or without a reasonable accommodation. These steps are the essence of the ADA.”

Lynette A. Barnes, acting regional attorney for EEOC’s Atlanta District Office, added, “Under the ADA, when a qualified individual with a disability is ready and willing to work, employers have a legal duty to consider each individual’s ability to work on a case-by-case basis. Employers must be careful when relying on a blanket applica­tion of a company policy that disqualifies disabled employees as doing so could result in a violation of that ADA.”

EEOC is responsible for enforcing federal laws against employment discrimination. Further information is available at [www.eeoc.gov](http://www.eeoc.gov).

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