

EEOC NEWS



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

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EEOC SUES GRAND HYATT FOR DISABILITY DISCRIMINATION *Hotel Denied Accommodations, Including the Use of a Chair, to a Front Desk Agent with a Chronic Back Impairment, Federal Agency Charges*

NEW YORK – Grand Hyatt New York, Inc., which operates a large hotel in New York City, violated federal civil right law by refusing to accommodate an employee with a chronic back impairment, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit announced today.

According to the EEOC's complaint, prolonged standing as a front desk agent aggravated the employee's back impairment and caused him severe pain. The employee requested that Grand Hyatt New York provide a reasonable accommodation to his disability and suggested that the hotel permit him to sit on a chair while working at the front desk. The hotel initially permitted the employee to sit on a chair while working for two weeks. Thereafter, the hotel refused the employee use of the chair and otherwise failed to accommodate his disability.

Absent an undue burden to the company, the failure to provide a reasonable accommodation to an individual with a disability violates the Americans with Disabilities Act. The EEOC filed suit (EEOC v. Grand Hyatt New York, Inc., Civil Action No. 1:18-CV-07374) in U.S. District Court for the Southern District of New York after first attempting a pre-litigation settlement through the EEOC's conciliation process. The suit seeks back pay, compensatory damages, and punitive damages for the employee, as well as injunctive relief designed to prevent future discrimination. The agency's litigation effort will be led by Trial Attorneys Kirsten Peters and Sebastian Riccardi, supervised by Supervisory Trial Attorney Justin Mulaire.

“Federal law on disability accommodations is very clear and fair – employers must provide a reasonable accommodation as long as it causes no undue burden,” said Kevin Berry, the EEOC’s New York District director. “A request for a chair is hardly likely to create such a burden.”

Jeffrey Burstein, regional attorney for the EEOC’s New York District Office, added, “The EEOC is committed to protecting the rights of people with disabilities, through litigation when necessary, so that disabled employees can work effectively and with dignity,”

EEOC Trial Attorney Kirsten Peters said, “A refusal to provide a simple, low-cost accommodation to an individual with a disability is a clear violation of the law. This lawsuit could have easily been avoided if Grand Hyatt New York had done the right thing.”

The EEOC's New York District Office is responsible for processing discrimination charges, administrative enforcement, and the conduct of agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island, and Vermont. The New York District Office located in Manhattan conducted the investigation resulting in this lawsuit.

The 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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