

## **Stevens Transport to Pay \$50,000 to Settle EEOC Disability Discrimination Lawsuit**

Article By:

U.S. Equal Employment Opportunity Commission

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### ***Dallas Trucking Company Refused to Hire Paralegic Applicant for Management Position, Federal Agency Charged***

6-8-12 DALLAS – Stevens Transport, a Dallas refrigerated transport company, will pay \$50,000 and furnish other relief to settle a disability discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the agency announced today.

According to the EEOC's lawsuit (Civil Action No. 3:11-CV-2557-L) in U.S. District Court for the Northern District of Texas, Andrew Scott, who became paraplegic in 2003 as a result of a car accident, was denied hire for two management positions at Stevens because of his disability. Stevens Transport is a refrigerated transport carrier that services major companies in need of over-the-road trucking.

Scott, who has a bachelor's degree in economics and management and a master's degree in business administration, was initially contacted by Stevens Transport after posting his resume on a job search website. Scott was interviewed over the telephone. Based on his successful interview, Scott was scheduled for an in-person interview for two open jobs. When he arrived at the interview, however, the company became aware of his disability.

Stevens management told Scott at the in-person interview that there was some concern he would not be able to keep up with the pace of operations. After several weeks of communication with the company, Scott was ultimately informed that he had not been selected for hire into either of the positions, despite his qualifications.

Refusing to hire a qualified applicant because of his disability violates the Americans with Disabilities Act of 1990 (ADA). The EEOC filed suit after first attempting to reach a voluntary settlement.

"Mr. Scott was very disappointed that Stevens stopped considering him as a viable candidate once they saw he was in a wheelchair," said Robert A. Canino, regional attorney for the EEOC's Dallas District Office. "He was well-qualified for these positions, but was disregarded because of his disability. That is a clear violation of federal law as well as unjust to the applicant and counter-productive for the company."

Janet Elizondo, acting district director for the EEOC's Dallas District Office, said, "The EEOC, through its enforcement and litigation efforts, will stay vigilant to ensure that people with disabilities have a fair opportunity for employment in American workplaces.

EEOC Trial Attorney Meaghan Shepard added, "It is unfortunate that the company turned this man away because of a false assumption about his capabilities based on his wheelchair. It is our hope that Stevens has learned from this experience and will not lose out on other promising employees in the future as a result of incorrect assumptions about an applicant's abilities."

In fiscal year 2011, 25,742 ADA charges were filed with the EEOC, an increase of 21% from FY 2009, when the **Americans with Disabilities Act Amendments Act (ADAAA)** went into effect, broadening ADA coverage.

The EEOC enforces federal laws prohibiting employment discrimination. Further information about the EEOC is available on its web site at [www.eeoc.gov](http://www.eeoc.gov).

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