

United Road Towing to Pay \$380,000 to Resolve EEOC Disability Discrimination Suit

Article By:

U.S. Equal Employment Opportunity Commission

Nationwide Towing Company Failed to Provide Reasonable Accommodations to Class of Employees With Disabilities, Federal Agency Charged

United Road Towing, Inc., a Mokena, Ill.-based towing company, will pay \$380,000 to 13 claimants and provide other relief resolving a disability discrimination lawsuit, the **U.S. Equal Employment Opportunity Commission (EEOC)** announced. A federal district court judge in Chicago entered a consent decree ending the litigation on Wednesday, June 20, 2012.

The EEOC's lawsuit, which was filed Sept. 30, 2009, charged that United Road Towing had failed to provide reasonable accommodations to a class of employees with disabilities. The complaint highlighted United Road Towing's inflexible medical leave policy and practice of terminating employees with disabilities at the end of medical leaves rather bringing them back to work with reasonable accommodation. The alleged discrimination took place in Chicago, Phoenix, San Diego, Indianapolis, Las Vegas and Los Angeles.

The EEOC alleged that such conduct violates the **Americans With Disabilities Act (ADA)**. The EEOC filed suit in U.S. District Court for the Northern District of Illinois (Case No. 10-cv-6259) after first attempting to reach a pre-litigation settlement through its conciliation process.

In addition to providing monetary relief to the 13 claimants, the consent decree includes injunctive relief. The decree prohibits the company from discriminating against those with disabilities and requires the implementation of a reasonable accommodations policy. It also requires training on the ADA for the company's management.

The EEOC lawsuit was preceded by an administrative investigation and efforts to voluntarily resolve the matter through the agency's statutory conciliation process, both of which were managed by the Director of the EEOC's Chicago District, John Rowe.

"The purpose of the ADA is to allow persons with disabilities to be productive members of the work force," said Regional Attorney John Hendrickson of the EEOC's Chicago District Office. "A company cannot thwart this purpose by depriving disabled workers of the accommodations they need to remain active workers."

Supervisory Trial Attorney Diane Smason added, “We are pleased that United Road Towing resolved this case. The consent decree will ensure that the company makes reasonable accommodations available to employees with disabilities who need them.”

In addition to Hendrickson and Smason, the EEOC was represented by Trial Attorneys Brandi Davis, June Calhoun, and Laurie Elkin. The EEOC Chicago District Office is responsible for processing charges of 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.

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