



U.S. Equal Employment Opportunity Commission

Press Release

02-14-2024

EEOC Sues Covenant Woods for Age and Disability Discrimination

Federal Agency Charges Retirement Community With Firing Long-Tenured Receptionist Because of Age and Disability

ATLANTA – Covenant Woods Senior Living, LLC and BrightSpace Senior Living, LLC (together, “Covenant Woods”), which operate the Covenant Woods retirement community in Columbus, Georgia, violated federal law when they fired a 78-year-old employee from her position as a receptionist because of her age and disability, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the lawsuit, the receptionist, who was recognized as one of Covenant Woods’ employees of the year in January 2022, was employed by the company for over 14 years until her sudden termination in February 2022. In that month, the receptionist was briefly hospitalized. Upon her release from the hospital, the receptionist was asked by Covenant Woods’ general manager how long she planned to continue to work, whether she needed to work, and whether she would like to spend her time traveling and seeing family instead of working.

Despite the receptionist’s insistence that she intended to continue working, and despite having never previously raised any substantial performance concerns to the

receptionist, the general manager told the receptionist that Covenant Woods no longer had confidence in her ability to work, citing her recent hospitalization. The company fired her the next day and replaced her with significantly younger employees.

Such alleged conduct violated the Age Discrimination in Employment Act (ADEA) and the Americans with Disabilities Act (ADA), which respectively prohibit age and disability discrimination in the workplace. The EEOC filed suit (EEOC v. Covenant Woods Senior Living, LLC and BrightSpace Senior Living, LLC, Case No. 4:24-cv-00022-CDL) in U.S. District Court for the Middle District of Georgia after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

“The ADEA prohibits employers from firing someone who is at least 40 years old because of their age,” said Marcus G. Keegan, regional attorney for the EEOC’s Atlanta District Office. “Additionally, the ADA prohibits employers from terminating an employee because of an actual or perceived disability. Covenant Woods violated both statutes when it terminated a high-performing and long-tenured employee on the unfounded assumption that her age and medical condition would prevent her from doing her job.”

Darrell Graham, district director of the Atlanta office, said, “The right to decide a retirement age lies with an employee, not their employer. Moreover, an employer may not use an actual or perceived disability as license to deem an employee unqualified for their position. The EEOC is committed to enforcing the ADEA and the ADA to protect the rights of aggrieved employees.”

For more information on age discrimination, please visit <https://www.eeoc.gov/age-discrimination> (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fage-discrimination&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce4cd09d2991d4b28f9e608dc2da0de97%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435416194072897%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&sdata=bFwZ0DSDqOIXg9%2BA48cpQh3qgCxqk4lzzWwelHdi%2BmQ%3D&reserved=0>). For more information on disability discrimination, please visit <https://www.eeoc.gov/disability-discrimination> (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fdisability->

discrimination&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce4cd09d2991d4b28f9e608dc2da0de97%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435416194082469%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=GcSR4FOC66OpT%2Fu8WIA%2Bb8gaSee0a8xJkvxfZ8j9iTQ%3D&reserved=0).

The EEOC's Atlanta District Office has jurisdiction over Georgia and the counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Hampton, Jasper, and Williamsburg in South Carolina.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at www.eeoc.gov ([https://gcc02.safelinks.protection.outlook.com/?](https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eeoc.gov%2F&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce4cd09d2991d4b28f9e608dc2da0de97%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435416194089871%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=Wsy4EGOAeSud6rDOPDOOxWJsJmT6tv6oTTggdYiJkTI%3D&reserved=0)

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Recent Press Releases from the Atlanta District Office

EEOC Sues Shane's Rib Shack Franchisee for Sexual Harassment and Retaliation (https://www.eeoc.gov/newsroom/eeoc-sues-shanes-rib-shack-franchisee-sexual-harassment-and-retaliation)

[Children's Healthcare of Atlanta to Pay \\$45,000 to Settle EEOC Religious Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/childrens-healthcare-atlanta-pay-45000-settle-eeoc-religious-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/childrens-healthcare-atlanta-pay-45000-settle-eeoc-religious-discrimination-lawsuit)

[Papa John's Pizza to Pay \\$175,000 to Settle Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/papa-johns-pizza-pay-175000-settle-disability-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/papa-johns-pizza-pay-175000-settle-disability-discrimination-lawsuit)

Recent Press Releases on the Subject of Age

[Pete's Car Smart to Pay \\$145,000 to Settle EEOC Age and Disability Discrimination Suit \(https://www.eeoc.gov/newsroom/petes-car-smart-pay-145000-settle-eeoc-age-and-disability-discrimination-suit\)](https://www.eeoc.gov/newsroom/petes-car-smart-pay-145000-settle-eeoc-age-and-disability-discrimination-suit)

[J&M Industries to Pay \\$105,000 to Settle EEOC Age Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/jm-industries-pay-105000-settle-eeoc-age-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/jm-industries-pay-105000-settle-eeoc-age-discrimination-lawsuit)

[Scripps Clinical Medical Group to Pay \\$6.875 Million \(https://www.eeoc.gov/newsroom/scripps-clinical-medical-group-pay-6875-million\)](https://www.eeoc.gov/newsroom/scripps-clinical-medical-group-pay-6875-million)