



U.S. Equal Employment Opportunity Commission

Press Release

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Cash Depot Pays \$55,000 to Settle EEOC Disability Discrimination Lawsuit

ATM Service Provider Resolves Federal Lawsuit Charging That It Failed to Accommodate And Fired Employee Because of Disability

HOUSTON – Cash Depot, LTD, a privately owned, independent ATM service provider headquartered in Green Bay, Wisconsin, agreed to pay \$55,000 and provide other to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, Cash Depot refused to accommodate a field service technician after he suffered a stroke and was subsequently hospitalized. The EEOC alleged that Cash Depot placed the employee on a leave of absence and guaranteed to hold his job open until a specified date, but instead posted his job and hired another field service technician to replace him. When the employee was released to return to work with a restriction, the company fired him, stating it could not accommodate his restriction.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits employers from discriminating against applicants and employees because of their actual, perceived or record of disability. The EEOC filed suit on Sept. 28, 2020 in U.S. District Court for the Southern District of Texas after first attempting to

reach pre-litigation settlement through its conciliation process (U.S. Equal Employment Opportunity Commission v. Cash Depot, LTD, Case No. 4:20-cv-03343). In August 2021, the district court entered summary judgment against the EEOC and dismissed the lawsuit. After an EEOC appeal, the Fifth Circuit Court of Appeals reversed and remanded the suit.

In addition to the \$55,000 in monetary relief, the three-year consent decree settling the suit requires Cash Depot to revise its anti-discrimination policies and job description and distribute them to its employees. The decree also requires Cash Depot to provide its managers and human resources personnel specialized training on the ADA's prohibition against disability discrimination and retaliation as well as its reasonable accommodation requirements. The decree also requires Cash Depot to post a notice which sets forth the general requirements of the ADA at all its office locations.

“The ADA clearly protects individuals from employment discrimination because of disability,” said Rudy Sustaita, regional attorney for the EEOC’s Houston District Office. “It also requires employers to engage in the interactive process with an employee to determine if a reasonable accommodation will allow the employee to perform their job. When this all-important federal law is not observed, the EEOC will enforce it when it must.”

Houston District Office senior trial attorney Connie Wilhite Gatlin added, “The ADA requires an employer to provide a reasonable accommodation for a qualified individual with a disability. The EEOC is pleased that Cash Depot has agreed to take steps to prevent any future discrimination.”

For more information about disability discrimination, please visit **[Disability Discrimination | U.S. Equal](https://www.eeoc.gov/disability-discrimination)** (<https://www.eeoc.gov/disability-discrimination>) **[Employment Opportunity Commission \(eeoc.gov\)](https://www.eeoc.gov)** (<https://www.eeoc.gov/disability-discrimination>).

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at www.eeoc.gov (<http://www.eeoc.gov/>). Stay connected with the latest EEOC news by subscribing to our **[email updates](https://public.govdelivery.com/accounts/USEEOC/subscriber/new)** (<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>).

Recent Press Releases from the Houston District Office

EEOC Sues Houston Independent School District for Pay Discrimination

(<https://www.eeoc.gov/newsroom/eeoc-sues-houston-independent-school-district-pay-discrimination>)

EEOC Sues Ecoserv, Charging a Pattern or Practice of Not Hiring Black, Female and Older Applicants (<https://www.eeoc.gov/newsroom/eeoc-sues-ecoserv-charging-pattern-or-practice-not-hiring-black-female-and-older>)

EEOC Sues Employment & Training Centers, Inc. for Disability Discrimination (<https://www.eeoc.gov/newsroom/eeoc-sues-employment-training-centers-inc-disability-discrimination>)

Recent Press Releases on the Subject of Disability

Nebraska Court Orders Trucking Company to Pay Deaf Driver Punitive Damages, Lost Wages After Jury Awarded Millions (<https://www.eeoc.gov/newsroom/nebraska-court-orders-trucking-company-pay-deaf-driver-punitive-damages-lost-wages-after>)

Omaha Hospitality Group to Pay \$100,000 to Resolve EEOC Disability Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/omaha-hospitality-group-pay-100000-resolve-eeoc-disability-discrimination-lawsuit-0>)

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