



U.S. Equal Employment Opportunity Commission

Press Release

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JC Market Thriftway to Pay Over \$50,000 Following EEOC Investigation

Supermarket Conciliates Federal Charge It Denied Reasonable Accommodation and Fired Newly-Hired Employee Due to a Disability

NEWPORT, Ore. –JC Market, Inc., doing business as JC Market Thriftway, a Lincoln County, Oregon grocery chain, has agreed to provide \$50,000 in compensatory damages, backpay, and furnish other injunctive relief to resolve a charge of disability discrimination filed with the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

The EEOC investigation found the applicant interviewed for a position with the owner of JC Market and was given a job offer and instructions to report to work the following day for training. However, upon informing JC Market about their disability and requesting to carry related medical supplies, JC Market refused to provide a reasonable accommodation and fired the employee.

Such alleged conduct violates the Americans with Disabilities Act of 1990 (ADA), which prohibits discrimination against individuals with disabilities and requires employers to provide employees and applicants with disabilities reasonable accommodations. The investigation also revealed unlawful record-keeping practices which included comingling medical records with personnel files and

failing to maintain personnel records for the required time frame.

Following a reasonable cause finding, the parties engaged in the pre-litigation conciliation process, which resulted in a settlement that included monetary damages, revisions to policies and procedures related to disability discrimination and requesting reasonable accommodations, and separate trainings for managers and employees designed to prevent future discrimination by enhancing accountability and oversight of managers and employees.

As part of the settlement, JC Market also agreed to make a donation to a non-profit organization whose mission supports the rights of individuals with disabilities.

“Under the law, individuals with disabilities are entitled to the same employment opportunities as individuals without disabilities,” said Elizabeth M. Cannon, director of EEOC’s Seattle Field Office. “Applicants and employees, regardless of disability or need for an accommodation, should be judged on their abilities and qualifications relevant to the essential functions of the position and not on fears, stereotypes, or myths. We applaud JC Market for participating in the conciliation process and collaborating with EEOC to bring about this resolution.”

According to their website, JC Market Thriftway is locally-owned and has locations in Newport and Toledo, Oregon.

For more information on the ADA and disability discrimination visit

<https://www.eeoc.gov/disability-discrimination> (<https://www.eeoc.gov/disability-discrimination>).

The EEOC’s Seattle Field Office has jurisdiction over employers located in Washington, Idaho, Oregon, Alaska and Montana.

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>)**.