



U.S. Equal Employment Opportunity Commission

Press Release

09-20-2023

EEOC Sues Library Hotel for Disability Discrimination

Hotel Refused to Accommodate Disabled Employee and Constructively Terminated their Employment, Federal Agency Charges

NEW YORK – 299 Madison Ave., LLC, doing business as Library Hotel, violated federal law when it refused to accommodate an employee’s musculoskeletal impairments and constructively terminated their employment because of their impairments, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC’s lawsuit, an employee of the Library Hotel requested to periodically sit at a stool when working behind the hotel’s front desk and limit extended walking due to their disability. Rather than grant this requested accommodation, Library Hotel offered to move the employee to two alternative positions that were not comparable jobs, and refused to permit the employee to sit when working at the front desk because this was contrary to company policy. Ultimately, Library Hotel’s refusal to accommodate the employee rendered the employee’s working conditions so intolerable that the employee was forced to resign. The EEOC’s investigation further found that Library Hotel commingled the employee’s medical records with their personnel file, violating the confidentiality provisions of the Americans with Disabilities Act (ADA).

Such alleged conduct violates the ADA, which requires employers to provide

reasonable accommodations for employees with disabilities, including making exceptions to corporate policies. The EEOC filed suit in the Southern District of New York, EEOC v. 299 Madison Ave LLC, d/b/a Library Hotel, Civil Action No.1:23-cv-08306, after first attempting to reach a pre-litigation settlement through the agency's conciliation process. The EEOC seeks monetary relief for the former employee, including back pay, and compensatory and punitive damages. The EEOC also seeks injunctive relief to prevent discriminatory practices in the future.

"Federal law requires employers to provide reasonable accommodations so that employees with disabilities can do their jobs," said EEOC Trial Attorney Cara Chomski. "Company policies do not excuse employers from their obligation to reasonably accommodate disabled employees."

"The EEOC is committed to ensuring that employees with disabilities enjoy equal employment opportunities in the workplace, including in the hospitality industry," said Timothy Riera, acting director of the EEOC New York District Office. "When a reasonable accommodation exists and does not pose an undue hardship for the employer, the employer cannot refuse to grant the accommodation request simply because it conflicts with internal policy."

The EEOC's New York District Office is responsible for processing discrimination charges, administrative enforcement and conducting agency enforcement actions in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island and Vermont.

More information about disability discrimination is available at <https://www.eeoc.gov/eeoc-disability-related-resources> (<https://www.eeoc.gov/eeoc-disability-related-resources>).

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).