



U.S. Equal Employment Opportunity Commission

Press Release

01-25-2024

Library Hotel to Pay \$42,000 to Settle EEOC Disability Discrimination Lawsuit

Settles Federal Charges That Hotel Failed to Accommodate Front Desk Worker With a Stool or Chair

NEW YORK – 299 Madison Ave. LLC, doing business as Library Hotel, a luxury boutique hotel in New York City, will pay \$42,000 to a former front desk employee to resolve a disability discrimination lawsuit filed pursuant to the Americans with Disabilities Act (ADA) by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, a guest services agent for the hotel submitted medical support for, and requested use of a chair or stool as an accommodation for the employee's disability, which made standing for prolonged periods of time difficult.

Library Hotel denied the request based on its policy that guest services agents must stand at all times, and instead offered insufficient and undesirable alternative accommodations. The employee attempted to continue to work without the accommodation, but was forced to resign in light of a continuing deterioration of the employee's physical health.

Such alleged conduct violates the ADA, which prohibits an employer from failing to

reasonably accommodate an employee's qualifying disability, absent undue hardship. The EEOC filed suit in U.S. District Court for 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 its conciliation process. This case was litigated by EEOC Trial Attorneys Andres F. Puerta and Cara Chomski, and supervised by Assistant Regional Attorney Kimberly A. Cruz.

In addition to the monetary relief paid to the employee named in the suit, the consent decree resolving the litigation enjoins Library Hotel from enforcing any "standing only" policy against employees with disabilities where the employee's disability prevents them from standing the entirety of their work shift. The decree also requires Library Hotel to significantly revise and reissue its ADA accommodations policy; provide management and employee training on the ADA; issue annual executive messages on equal employment opportunity (EEO) policies; include EEO language on the hotel's career page and on its employment application; provide periodic reports to the EEOC; and post EEOC notices in the workplace.

"This case should serve as a stern warning to employers," said EEOC Regional Attorney Jeffrey Burstein. "A company's internal policy does not trump a company's obligations under the ADA."

Yaw Gyebi, Jr., director of the EEOC's New York District Office, said, "The hotel industry in particular should take heed of this action. Inflexible employment policies applied universally without regard for the ADA's reasonable accommodation mandate likely violate federal law."

EEOC Trial Attorney Andres F. Puerta added, "When receiving a request for accommodation, employers should first assess whether the request is reasonable and can be accomplished without disrupting business operations, as opposed to whether a request is contrary to a rigid universal application of a company policy. This approach may better inform decision makers so that they may engage in a good-faith interactive process with the employee and do not run afoul of the ADA."

For more information on disability discrimination, please visit <https://www.eeoc.gov/disability-discrimination> (<https://www.eeoc.gov/disability-discrimination>). For more information on reasonable accommodation under the ADA, visit <https://www.eeoc.gov/laws/guidance/enforcement-guidance->

[reasonable-accommodation-and-undue-hardship-under-ada#reassignment \(https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada#reassignment\)](https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada#reassignment).

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

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at [www.eeoc.gov \(https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2F%3Futm_content%3D%26utm_medium%3Demail%26utm_name%3D%26utm_source%3Dgovdelivery%26utm_term%3D&data=05%7C01%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=Yzdqwhj1IAIMJ%2FQQ82yw9TeBbyi0PtSelvTY%2B9liPVU%3D&reserved=0\)](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2F%3Futm_content%3D%26utm_medium%3Demail%26utm_name%3D%26utm_source%3Dgovdelivery%26utm_term%3D&data=05%7C01%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=Yzdqwhj1IAIMJ%2FQQ82yw9TeBbyi0PtSelvTY%2B9liPVU%3D&reserved=0)). Stay connected with the latest EEOC news by subscribing to our **[email updates \(https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fpublic.govdelivery.com%2Faccounts%2FUSEEOC%2Fsubscriber%2Fnew&data=05%7C01%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=wZ0%2Fjb6ff3H1dcl6XtSn2UwZUXYdlddc2SemdVQzS5E%3D&reserved=0\)](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fpublic.govdelivery.com%2Faccounts%2FUSEEOC%2Fsubscriber%2Fnew&data=05%7C01%7C%7Ce73aab0315e741bce2b508daa1726555%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C637999810126940396%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCi6Mn0%3D%7C2000%7C%7C%7C&sdata=wZ0%2Fjb6ff3H1dcl6XtSn2UwZUXYdlddc2SemdVQzS5E%3D&reserved=0)**.

Recent Press Releases from the New York District Office

[Citizens Bank, N.A. to Pay \\$100,000 to Settle EEOC Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/citizens-bank-na-pay-100000-settle-eeoc-disability-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/citizens-bank-na-pay-100000-settle-eeoc-disability-discrimination-lawsuit)

[EEOC Sues Library Hotel for Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-library-hotel-disability-discrimination\)](https://www.eeoc.gov/newsroom/eeoc-sues-library-hotel-disability-discrimination)

[EEOC Sues Walmart for Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-walmart-disability-discrimination-7\)](https://www.eeoc.gov/newsroom/eeoc-sues-walmart-disability-discrimination-7)

Recent Press Releases on the Subject of Disability

[Cash Depot Pays \\$55,000 to Settle EEOC Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/cash-depot-pays-55000-settle-eeoc-disability-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/cash-depot-pays-55000-settle-eeoc-disability-discrimination-lawsuit)

[Nebraska Court Orders Trucking Company to Pay Deaf Driver Punitive Damages, Lost Wages After Jury Awarded Millions \(https://www.eeoc.gov/newsroom/nebraska-court-orders-trucking-company-pay-deaf-driver-punitive-damages-lost-wages-after\)](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 \(https://www.eeoc.gov/newsroom/omaha-hospitality-group-pay-100000-resolve-eeoc-disability-discrimination-lawsuit-0\)](https://www.eeoc.gov/newsroom/omaha-hospitality-group-pay-100000-resolve-eeoc-disability-discrimination-lawsuit-0)