



**U.S. Equal Employment Opportunity Commission**

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**Press Release**

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# **Lion Elastomers Pays \$175,000 to Settle EEOC Disability Discrimination Lawsuit**

Settles Federal Charges Company Subjected Job Applicants to Disability  
Discrimination Because of Perceived Back Impairments

HOUSTON – Lion Elastomers, LLC, a manufacturing plant in Port Neches, Texas, agreed to pay \$175,000 and provide other relief pursuant to a consent decree entered by a federal district court on July 7, resolving a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today. The complaint alleged that the company denied employment to a class of individuals it unlawfully regarded as disabled.

According to the EEOC's lawsuit, after being offered packing operator / materials handler positions, the class member applicants were required to undergo pre-employment medical and physical examinations. The EEOC charged that Lion then unlawfully rescinded the class members' job offers based on the company's perception that the class members had back impairments and were unable to lift heavy objects. Additionally, the suit alleged that Lion violated federal regulations by failing to maintain personnel records related to its hiring and termination decisions.

The federal agency alleged that such conduct violated 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. 30, 2021 in U.S. District Court for the Eastern District of Texas after first attempting to reach pre-litigation settlement through its conciliation process (U.S. Equal Employment Opportunity Commission v. Lion Elastomers, LLC, Case No. 1:21-cv-00493).

In addition to the \$175,000 in monetary relief, the 30-month consent decree settling the suit requires Lion to revise its anti-discrimination policies and distribute them to its employees and provide its managers and human resources personnel specialized training on the ADA's prohibition against disability discrimination and their legal obligation to prevent, address and remedy disability discrimination. The decree also requires Lion to post a discrimination notice at its Port Neches facility, comply with the record-keeping and reporting requirements of the ADA and submit periodic compliance reports to the EEOC.

“This lawsuit should remind employers that the ADA protects applicants, as well as employees, from disability discrimination,” said Rudy Sustaita, regional attorney for the EEOC’s Houston District Office. “When applicants are denied employment based on unfounded and speculative assumptions about the individual’s physical or mental condition, the EEOC will seek redress for those harmed by such decisions.”

EEOC Houston District Office Senior Trial Attorney Claudia Molina-Antanaitis added, “Rejecting an applicant due to an actual or perceived impairment is unacceptable. The EEOC is committed to eliminating barriers in hiring and ensuring equal opportunity for all.”

For more information about disability discrimination, please visit:

**<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)** (**<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>**).

