



U.S. Equal Employment Opportunity Commission

Press Release

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Omaha Hospitality Group to Pay \$100,000 to Resolve EEOC Disability Discrimination Lawsuit

Settles Federal Charges Hotel Owners Fired General Manager After He Checked Himself into Hospital for Treatment of Depression

ST. LOUIS – The owners and operators of a hotel in Omaha, Nebraska, have agreed to pay \$100,000 to a former general manager and furnish other relief to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the suit, the general manager worked at the Holiday Inn Express & Suites – Omaha Downtown, which is owned and operated by Anant Enterprises, L.L.C.; Anant Operations, Inc.; and Farnam Lodging, L.L.C. (collectively Anant). In the fall of 2019, the general manager advised his direct supervisor, Anant’s V.P. of Operations, that he was going to be away from work because he was going to the hospital for treatment for depression. Two days later, on the same day the general manager was discharged from the hospital, his supervisor told him he was fired because the company was afraid he might hurt other people.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which

prohibits discrimination based on disability. The EEOC filed suit (EEOC v. Anant Enterprises, L.L.C., et al., Civil Action No. 8:22-cv-345) in U.S. District Court for the District of Nebraska after first attempting to reach a pre-litigation settlement via its conciliation process.

The EEOC alleged Anant failed to conduct an individualized assessment of the general manager's ability to perform the essential functions of his job with or without reasonable accommodation at the time of his discharge, and instead fired him based on fears and stereotypes regarding his disability, depression.

The consent decree prohibits Anant from terminating employees on the basis of disability, requires Anant to adopt policies and procedures to ensure compliance with the ADA, ensures all employees receive copies of and annual training on those ADA policies, and requires additional recurring ADA training for all of Anant's owners, general managers, and human resources personnel. Anant will also regularly report to the EEOC regarding any employees who are terminated after requesting an accommodation for a disability or taking leave for a disability.

"Before an employer can fire an employee based on their disability, including a mental health disability, it must have objective evidence the employee would be unable to perform their job or would create a significant safety risk even with a reasonable accommodation," said Andrea G. Baran, regional attorney for the EEOC's St. Louis District Office. "Employers cannot rely on myths or stereotypes about mental health conditions when deciding whether an individual with a mental health disability, such as depression, can perform their job or poses a safety risk."

"Workers with mental health conditions, such as depression, may face discrimination in the workplace due to stigma or misunderstandings about mental health disorders," said David Davis, acting director of the EEOC's St. Louis District Office. "The ADA prohibits such discrimination and may require an employer to provide a reasonable accommodation to an employee with a mental health disability."

According to its website, Anant is a hospitality leader that owns and operates 10 hotel properties in Omaha, Lincoln, and McCook, Nebraska, and one hotel in Topeka, Kansas.

The EEOC's St. Louis District office oversees Missouri, Kansas, Nebraska, Oklahoma and a portion of southern Illinois.

More information about disability discrimination is available at

<https://www.eeoc.gov/disability-discrimination> (<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 St. Louis District Office

[EEOC and Tapco Agree to Conciliate Discrimination Charge](https://www.eeoc.gov/newsroom/eeoc-and-tapco-agree-conciliate-discrimination-charge)

(<https://www.eeoc.gov/newsroom/eeoc-and-tapco-agree-conciliate-discrimination-charge>)

[EEOC Sues McDonald's Franchise for Sexual Harassment](https://www.eeoc.gov/newsroom/eeoc-sues-mcdonalds-franchise-sexual-harassment) (<https://www.eeoc.gov/newsroom/eeoc-sues-mcdonalds-franchise-sexual-harassment>)

[EEOC Sues ResourceOne for Harassment Based on Genetic Information, Race, National Origin](https://www.eeoc.gov/newsroom/eeoc-sues-resourceone-harassment-based-genetic-information-race-national-origin) (<https://www.eeoc.gov/newsroom/eeoc-sues-resourceone-harassment-based-genetic-information-race-national-origin>)

Recent Press Releases on the Subject of Disability

[United Parcel Service to Pay \\$150,000 to Settle EEOC Disability Discrimination Lawsuit](https://www.eeoc.gov/newsroom/united-parcel-service-pay-150000-settle-eeoc-disability-discrimination-lawsuit) (<https://www.eeoc.gov/newsroom/united-parcel-service-pay-150000-settle-eeoc-disability-discrimination-lawsuit>)

[EEOC Issues Article on Workplace Accessibility](https://www.eeoc.gov/newsroom/eeoc-issues-article-workplace-accessibility) (<https://www.eeoc.gov/newsroom/eeoc-issues-article-workplace-accessibility>)

[Scripps Clinical Medical Group to Pay \\$6.875 Million](https://www.eeoc.gov/newsroom/scripps-clinical-medical-group-pay-6875-million) (<https://www.eeoc.gov/newsroom/scripps-clinical-medical-group-pay-6875-million>)

