



Press Release

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EEOC Sues Pete's Car Smart for Age and Disability Discrimination

Amarillo Car Dealership Fired Long-Time Employee After Heart Surgery, Federal Agency Charges.

DALLAS – Pete's Car Smart Inc., a car dealership based in Amarillo, Texas, violated federal law by firing a long-time employee based on her age and cardiovascular-related disability, the federal agency announced today.

According to the EEOC's lawsuit, the employee worked for Pete's Car Smart for nearly 18 years. The employee underwent bypass heart surgery in early 2021 requiring a brief medical leave of absence. In the days leading up to her return from leave, the owner of the company told the employee she needed to retire, or she would be fired because he did not feel she could do her job any longer.

Prior to the employee's termination, the owner made remarks about the employee's age, including comments about the color of her hair and that she had "old-timer's disease." The owner also made derogatory comments about the employee's health and physical agility.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits discrimination based on an individual's disability, and the Age in

Discrimination Act (ADEA), which prohibits discrimination based on an individual's age if he or she is 40 or older. The EEOC filed suit, Civil Action No. 2:23-cv-00092, in U.S. District Court for the Northern District of Texas, Amarillo Division, after first attempting to reach a pre-litigation settlement through its conciliation process. In this case, EEOC seeks back pay damages, reinstatement or front pay in lieu thereof, compensatory and punitive damages, and injunctive remedies, including an order prohibiting the employer from engaging in discriminatory treatment in the future.

"This company operated on the false and discriminatory assumption that this employee was too old and too sick to continue to be productive through her work, but that wasn't the case," said Brooke López, trial attorney in the EEOC's Dallas District Office. "This employee was thriving in her career and was committed to continuing to do so. The EEOC was pleased to come to her aid."

Dallas EEOC Regional Attorney Robert Canino added, "When long-term, experienced employees show a firm commitment to their employer and career, business owners may benefit by considering the value of retaining those devoted and proven employees. The ADA and ADEA prohibit employers from pushing workers out of their jobs simply based on their age or because of a disability. The EEOC is proud to defend the rights of such discrimination victims."

For more information on disability discrimination, please visit www.eeoc.gov/disability-discrimination (<https://www.eeoc.gov/disability-discrimination>). Additionally, for information on age discrimination, please visit www.eeoc.gov/age-discrimination (<https://www.eeoc.gov/age-discrimination>).

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>).