



U.S. Equal Employment Opportunity Commission

Press Release

02-14-2024

Pete's Car Smart to Pay \$145,000 to Settle EEOC Age and Disability Discrimination Suit

Settles Federal Charges Car Dealership Fired Long-Time Employee After Heart Surgery With Slurs About Her Age

DALLAS – Amarillo-based dealership Pete's Car Smart will pay \$145,000 and furnish other relief to settle an age and disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, an employee who had been employed with Pete's Car Smart for nearly 18 years 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. He also made comments about her gray hair and "old-timers disease" and told her in a disparaging tone that she was old enough to be his mother.

Such alleged conduct violates both the Americans with Disabilities Act (ADA), which prohibits discrimination based on disability, and the Age Discrimination in

Employment Act (ADEA), which prohibits discrimination based on age. The EEOC filed suit, Civil Action No. 2:23-cv-00092-Z-BR, in U.S. District Court for the Northern District of Texas, Amarillo Division, after first attempting to reach a pre-litigation settlement through its informal conciliation process.

Under the terms of the three-year consent decree secured by the EEOC to resolve the case, Pete's Car Smart not only agreed to pay monetary damages to its former employee but will also provide significant non-monetary relief designed to ensure equal employment opportunities for individuals with disabilities and to applicants and employees over 40 years of age.

Pete's Car Smart will also create and distribute new protocols for requesting reasonable accommodations and reporting discrimination. Further, the dealership commits to train all employees annually regarding the specific new protocols and about employment discrimination laws that govern the workplace. Pete's Car Smart's owner will also take part in the training to be conducted by a third party.

The case was litigated by EEOC Trial Attorneys Brooke López and Brian Hawthorne and supervised by Assistant Regional Attorney Suzanne Anderson.

"We are hopeful the resolution of this case will create ripples of positive change about which other employers in Amarillo will take note, and that the effects will be felt beyond the term of this consent decree," said López.

Regional Attorney Robert Canino said, "Effective messaging to staff that promotes a non-discriminatory work environment should start at the top. Acknowledging the value of an employee who has given almost 20 years of service to the job is the proper approach to a genuine assessment – as opposed to engaging in unlawful provocations and putting pressure on the employee to retire because of negative stereotypes about age or health."

For more information on disability discrimination, please visit www.eeoc.gov/disability-discrimination (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fdisability-discrimination&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce97019258b914c13f34608dc2da3e940%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435429381915586%7CUnknown%7CTWFpbGZsb3d8eyJWIjojMC4wLjAwMDAiLCJQIjojV2luMzliLCJBTiI6IkhWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=WxrgT9Tyk2mpHdqv%2F%2FEWtY46EaZFr9CxqhvfgiDAIcg%3D>)

&reserved=0). Additionally, for information on age discrimination, please visit [The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at \[.\]\(https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eeoc.gov%2F&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce97019258b914c13f34608dc2da3e940%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435429381930838%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=5X13DP1ViCwBgbiwqiCDNJtIM7TqOgpleXGs3%2BFbEAs%3D&reserved=0\). Stay connected with the latest EEOC news by subscribing to our <a href=\)](https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fage-discrimination&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Ce97019258b914c13f34608dc2da3e940%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638435429381924446%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=r%2FIT7bCCzDhvsGf4T%2BCQxlr9RG%2FVwJNepInbz0cbvBQ%3D&reserved=0).</p></div>
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Recent Press Releases from the Dallas District Office

[Paramount Healthcare Consultants to Pay \\$50,000 in EEOC Sex Discrimination and Retaliation Lawsuit \(https://www.eeoc.gov/newsroom/paramount-healthcare-consultants-pay-50000-eeoc-sex-discrimination-and-retaliation-lawsuit\)](https://www.eeoc.gov/newsroom/paramount-healthcare-consultants-pay-50000-eeoc-sex-discrimination-and-retaliation-lawsuit)

[Paramount Healthcare Consultants Pagará 50.000 Dólares en una Demanda de la EEOC por Discriminación y Represalias Sexuales \(https://www.eeoc.gov/es/newsroom/paramount-healthcare-consultants-pagara-50000-dolares-en-una-demanda-de-la-eeoc-por\)](https://www.eeoc.gov/es/newsroom/paramount-healthcare-consultants-pagara-50000-dolares-en-una-demanda-de-la-eeoc-por)

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Recent Press Releases on the Subject of Age

[EEOC Sues Covenant Woods for Age and Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-covenant-woods-age-and-disability-discrimination\)](https://www.eeoc.gov/newsroom/eeoc-sues-covenant-woods-age-and-disability-discrimination)

[J&M Industries to Pay \\$105,000 to Settle EEOC Age Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/jm-industries-pay-105000-settle-eeoc-age-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/jm-industries-pay-105000-settle-eeoc-age-discrimination-lawsuit)

[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)