



U.S. Equal Employment Opportunity Commission

Press Release

03-07-2024

Walmart Agrees to Pay \$70,000 and Offer Job to Employee in EEOC Disability Discrimination Suit

Resolves Federal Charges That Store Unlawfully Revoked Employee's Use of Store's Electric Cart and Kept Him on Unpaid Leave for Three Years

GREENVILLE, S.C. – Walmart will pay \$70,000 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.

The EEOC charged that Walmart violated the Americans with Disabilities Act (ADA) when it revoked permission from an employee with a disability to use a store electric cart as a reasonable accommodation for a disability, forcing him to take unpaid leave. According to the EEOC's lawsuit, shortly after hiring after Luis Quiñones, who uses a prosthetic leg, Walmart accommodated Quiñones by permitting him to use one of the store's electric carts to perform some of his job duties.

Approximately seven months later, Walmart told Quiñones he was no longer able to use the cart, claiming that the store's electric carts were for customer use only, even though other employees were permitted to use the carts to accommodate

temporary injuries. The suit alleged that Walmart failed to offer an alternative reasonable accommodation that would have allowed Quiñones to continue working, and instead Walmart placed him on indefinite unpaid leave.

Such alleged conduct violated Americans with Disabilities Act (ADA), which protects individuals with disabilities from workplace discrimination and requires that employers to provide reasonable workplace accommodations. The EEOC filed suit (EEOC v. Wal-Mart Stores East, LP, Case No. 1:22-cv-02596-JFA-TER) in U.S. District Court for the District of South Carolina, Aiken Division, after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

In addition to paying monetary damages, Walmart also agreed to offer Quiñones a job at one of its South Carolina locations. The two-year consent decree settling the suit enjoins the company from failing to provide reasonable accommodations to individuals with disabilities related to walking and standing at Store #0514 in Aiken. The decree also, with limited exceptions, enjoins Walmart from eliminating existing reasonable accommodations for such individuals without identifying an alternative that allows the employee to remain in their position except in certain circumstances. Walmart will be required to conduct annual training for salaried employees at the affected store, post an employee notice, and submit periodic compliance reports to the EEOC.

“The EEOC will aggressively pursue all appropriate avenues of make-whole relief for victims of discrimination,” said Nicholas Wolfmeyer, trial attorney for the EEOC. “This often includes advocating for an employee to be reinstated, which will be done in this case.”

EEOC Charlotte District Regional Attorney Melinda C. Dugas said, “Revoking a reasonable accommodation without providing an alternative violates the ADA. The EEOC will continue enforcement efforts to secure compliance on this issue.”

For more information on disability discrimination, please visit <https://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%7Cb57050fddd1440c111ff08dc3eeb329c%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638454427607960395%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Iik1haWwiLCJXVCi6Mn0%3D%7C0%7C%7>)

C%7C&sdata=9uZ6FIYf3lBqis7pndK%2BkFYj7g5%2BiCNHoFv%2FWJOJ15g%3D&reserved=0).

The EEOC's Charlotte District Office has jurisdiction over North Carolina, South Carolina and Virginia.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at www.eeoc.gov ([https://gcc02.safelinks.protection.outlook.com/?](https://gcc02.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eeoc.gov%2F&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Cb57050fddd1440c111ff08dc3eeb329c%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638454427607969428%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=znIWoJkV5%2FsmCr%2BxYp33uSp%2BITIXUIdd6lFDKzb6xro%3D&reserved=0)

url=http%3A%2F%2Fwww.eeoc.gov%2F&data=05%7C02%7CERICK.GUTIERREZ%40EEOC.GOV%7Cb57050fddd1440c111ff08dc3eeb329c%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638454427607969428%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=znIWoJkV5%2FsmCr%2BxYp33uSp%2BITIXUIdd6lFDKzb6xro%3D&reserved=0). Stay connected with the latest EEOC

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Recent Press Releases on the Subject of Disability

EEOC and Army Sustainment Resolve Disability Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/eeoc-and-army-sustainment-resolve-disability-discrimination-lawsuit>)

ADT Pizza to Pay \$15,000 to Settle EEOC Disability Discrimination and Harassment Charge (<https://www.eeoc.gov/newsroom/adt-pizza-pay-15000-settle-eeoc-disability-discrimination-and-harassment-charge>)

Voyant Beauty Will Pay \$75,000 to Settle EEOC Disability Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/voyant-beauty-will-pay-75000-settle-eeoc-disability-discrimination-lawsuit>)

