



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues Walmart for Disability Discrimination

Store Managers Refused to Accommodate Employee's Seizure Disorder and Fired Her, Federal Agency Charges

PHOENIX – A Walmart store in Bullhead City, Arizona violated federal law by failing to provide a reasonable accommodation for a cashier who has a seizure disorder, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it filed yesterday.

According to the EEOC, Walmart fired Stevey Wiman because she had seizures that caused her to miss work. Walmart's attendance policy allows for absences to be excused as an accommodation for a disability. But after being employed for about two months, Walmart's human resources personnel told Wiman her absences for her seizures would no longer be excused. Wiman submitted a written request for accommodation, asking that her absences due to seizures be excused as provided in Walmart's attendance policy. Walmart denied her request and fired her.

This alleged conduct violates the Americans with Disabilities Act and the ADA Amendments Act, which require employers to provide reasonable accommodations for employees with disabilities, including making exceptions to corporate policies. The EEOC filed suit, EEOC v. Walmart, LLC, Civil Action No. 3:23-cv-08118-GMS, in U.S. District Court for the District of Arizona after first attempting to reach a settlement through its pre-litigation conciliation process. The lawsuit seeks

compensatory and punitive damages for Wiman, as well as appropriate injunctive relief to prevent discriminatory practices in the future.

“Federal law requires employers to provide a reasonable accommodation so that employees with disabilities can do their job,” said EEOC Phoenix District Regional Attorney Mary Jo O’Neill. “Failing to do so absent undue hardship not only violates federal law, but also excludes an entire segment of the population from jobs. As employment for people with disabilities has reached an all-time high, it is important to protect these rights within the workplace.”

Nancy Sienko, Acting District Director of the EEOC’s Phoenix District Office, added, “Observing federal civil rights laws for employees with disabilities is not a choice or an option – it’s the law. The EEOC is here to protect the rights of discrimination victims, and we will keep carrying out our mission to do so.”

More information about disability discrimination is available at

<https://www.eeoc.gov/eeoc-disability-related-resources>

(<https://www.eeoc.gov/eeoc-disability-related-resources>). The EEOC’s Phoenix District Office has jurisdiction for Arizona, Colorado, Utah, Wyoming, and part of New Mexico.

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>**).