



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues Otis Elevator Company for Disability Discrimination

Company Refused to Accommodate Employee with Autism and ADHD, Then Retaliated Against Him, Federal Agency Charges

BOSTON – Otis Worldwide Corporation, doing business as Otis Elevator Company — a global company based in Farmington, Connecticut that constructs, repairs, modernizes, and maintains elevators, escalators, and related equipment — violated federal law by failing to provide a reasonable accommodation to an employee with disabilities and retaliating against him, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC’s complaint, Otis Elevator discriminated against an assistant mechanic employed at its Canton, Massachusetts location when — from April 2021 through November 2021 — it failed to accommodate his autism spectrum disorder (ASD) and attention deficit/hyperactivity disorder (ADHD). Soon after the mechanic began his employment with Otis Elevator, it became apparent that he was unable to effectively process sounds and voices while on a crowded and noisy construction site due to his ASD and ADHD. Although the mechanic requested a reasonable accommodation, over the course of several months Otis Elevator did not provide him with one, the EEOC said.

The EEOC's complaint also charged that Otis Elevator placed the mechanic on unpaid leave shortly after he requested an accommodation, which the company claimed was due to a foot injury. The company then refused to allow him to return to work for months, despite receiving multiple doctors' notes confirming that he was cleared to return to work. Otis Elevator's refusal to permit the mechanic to return from unpaid medical leave was in retaliation for his request for an accommodation, the EEOC charged.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which requires employers to provide reasonable accommodations for disabilities and prohibits employers from taking adverse action against qualified applicants and employees based on their disability. The EEOC filed suit in the U.S. District Court for the District of Massachusetts (EEOC v. Otis Worldwide Corporation d/b/a Otis Elevator Company, Civil Action No. 1:23-cv-10612) after first attempting to reach a pre-litigation settlement through its conciliation process.

The EEOC seeks back pay, front pay, compensatory damages, and punitive damages for the charging party, as well as injunctive relief designed to remedy and prevent future disability discrimination and retaliation. The case will be litigated by EEOC Trial Attorney Alison Bitterly and EEOC Supervisory Trial Attorney Kimberly Cruz.

"The ADA requires employers to reasonably accommodate employees with qualified disabilities, and that includes autism spectrum disorder and ADHD," said Jeffrey Burstein, regional attorney for the EEOC's New York District Office. "In this case, an employee was left in the lurch for months, without pay, just because he requested an accommodation for his disabilities. The EEOC has stepped in to right this wrong."

Timothy Riera, acting director of the New York District Office, added, "The EEOC is committed to defending the rights of people with disabilities in the workplace, and that includes addressing acts of retaliation against employees who seek reasonable accommodations."

The EEOC's New York District Office is responsible for processing discrimination charges, administrative enforcement, and the conduct of agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island, and Vermont.

For more information on disability discrimination, please visit

<https://www.eeoc.gov/disability-discrimination> (<https://www.eeoc.gov>)

/disability-discrimination). For more information on retaliation, please visit **https://www.eeoc.gov/retaliation (https://www.eeoc.gov/retaliation)**.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at **www.eeoc.gov (https://www.eeoc.gov/)**. Stay connected with the latest EEOC news by subscribing to our **email updates. (https://public.govdelivery.com/accounts/USEEOC/subscriber/new)**