

*The U.S. Equal Employment Opportunity Commission*

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## EEOC WINS DISABILITY BIAS SUIT AGAINST FEDEX

### ***Jury Rules Federal Express Must Pay \$108,000 for Failure to Accommodate Deaf Employee***

BALTIMORE -- A federal jury today found in favor of the U.S. Equal Employment Opportunity Commission (EEOC) in its employment discrimination lawsuit against Federal Express Corporation (FedEx) for violating the Americans with Disabilities Act of 1990 (ADA). EEOC had charged the Memphis, Tenn.-based global shipping giant with failing to provide a reasonable accommodation to Ronald Lockhart, a profoundly deaf employee who worked as a package handler at the company's Baltimore Ramp.

The suit charged Federal Express with violating the ADA when it failed to provide reasonable accommodations to Lockhart in the form of American Sign Language interpreters, despite his repeated requests. The jury found FedEx liable for punitive damages in the amount of \$100,000 for its knowing failure to accommodate Lockhart as well as compensatory damages of \$8,000 for the loss of the accommodation itself. The EEOC's lawsuit was filed in U.S. District Court for the Northern District of Maryland on September 30, 2004 (Case No. 04 CV-3129) after the agency first attempted to reach a voluntary pre-litigation settlement.

"This verdict sends victims and their employers a big message," said EEOC Regional Attorney Jacqueline McNair. "Employers must provide reasonable accommodations for qualified individuals with disabilities. It is the employer's responsibility to demonstrate that it is committed to fully adhere to the requirements of the ADA on behalf of disabled employees, and that they are not to be treated like second-class citizens."

Title I of the ADA prohibits employment discrimination against people with disabilities in the private sector and state and local governments. In Fiscal Year 2005, the EEOC received 14,893 charge filings from individuals alleging disability discrimination, filed 46 ADA lawsuits against employe

rs, and recovered more than \$48 million in total monetary benefits through enforcement and litigation.

The EEOC is the federal agency responsible for enforcing the nation's anti-discrimination laws in the workplace. Further information about the Commission is available on its web site at [www.eeoc.gov](http://www.eeoc.gov).

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