

Central NY company hit with \$1.6 million judgment for refusing to interview deaf candidate

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McLane Northeast on McLane Drive in Lysander.

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A jury hit a distribution operation in Lysander with a \$1.6 million judgment Thursday for violating the Americans with Disabilities Act.

The company refused to interview a deaf applicant in 2018, the U.S. Equal Employment Opportunity Commission charged. The EEOC sued McLane Northeast in federal court in 2020.

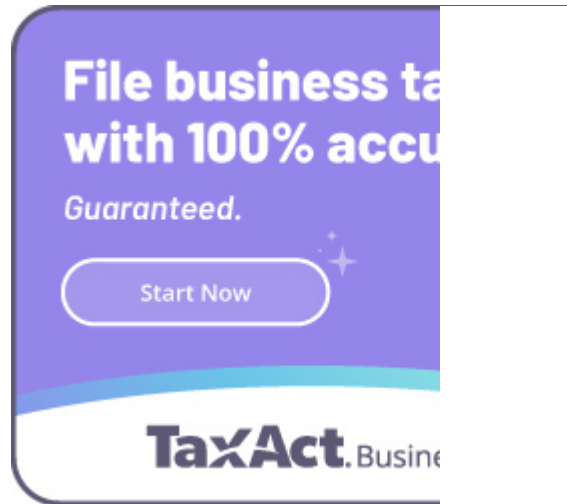
The deaf woman applied in 2018 for two warehouse positions, according to the lawsuit. The positions required placing products into a tote or box and transporting products using power equipment to a dock area.

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The applicant met the job's minimum qualifications but after learning about her condition, a human resources employee rejected the application, the EEOC alleged.

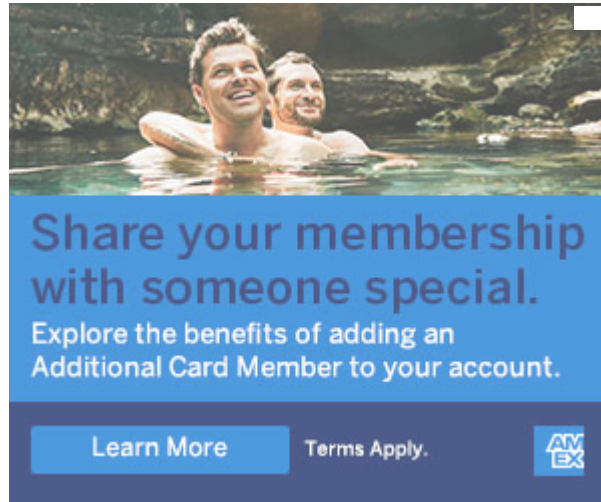
A McLane representative learned the applicant was hearing-impaired during a phone call in which the applicant used a text-to-voice service, the lawsuit said.

The McLane employee told the applicant that the person she needed to talk to about the job was not available and that she would get a call or email back, the suit said. Instead, the employee rejected her application, the EEOC alleged.


She applied again 10 days later but McLane rejected the application hours after receiving it. McLane ended up hiring two other candidates, according to the lawsuit.

The jury sitting in Syracuse awarded the applicant \$25,000 in back pay, \$150,000 in emotional distress damages and \$1.5 million in punitive damages.

The McLane Co. distributes products to many chain grocery stores nationwide. McLane Northeast is one of its locations. McLane is a wholly owned subsidiary of Berkshire Hathaway.



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