EEOC Sues Volvo Group North America, LLC, For Disability Discrimination

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Car Manufacturer Refused to Hire Laborer Because He Was a Recovering Drug Addict in a Medically Supervised Treatment Program, Federal Agency Charges

BALTIMORE - Volvo Group North America, LLC, violated federal law when it refused to hire a qualified worker at its Hagerstown, Md., facility because of his disability, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit it announced today.

According to the suit, in February 2015, Volvo made a conditional offer of employment to Michael Files, a recovering drug addict who has not used illegal drugs and has been enrolled in a supervised medication-assisted treatment programs since 2010, for an hourly manufacturing position. However, when Files informed the company nurse he was taking medically prescribed suboxone during his post-offer physical examination, the nurse informed him Volvo viewed suboxone as a narcotic worse than heroin. When Files reported for his first day of work days later, Volvo's human resources representative informed him they could not hire him because of his suboxone use, the EEOC charges.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits discrimination based on disability. The EEOC filed suit (EEOC v. Volvo Group North America, LLC, Civil Action No. 1:17-cv-02889) in U.S. District Court for the District of Maryland, Northern Division, after first attempting to reach a pre-litigation settlement through its conciliation process. As part of the suit, the EEOC is seeking back pay and compensatory and punitive damages for Files as well as broad injunctive relief to prevent discrimination there in the future.

"Volvo violated federal law when it ignored the qualifications of an applicant, and instead wrongfully rescinded a job offer because he is a recovering drug addict in a medically supervised treatment program," EEOC District Director Kevin Berry said.

EEOC Regional Attorney Debra M. Lawrence said, "Employers should make hiring decisions based on an applicant's ability, not on ill-founded fears or unwarranted biases about his disability or medical treatment."

Read this article on the EEOC website here.

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