



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues Lubin Logistics for Disability Discrimination

Federal Agency Charges FedEx Contractor Fired Employee Because of Disability

ATLANTA – Lubin Logistics Company, which operates as a package delivery contractor for the international shipping brand FedEx, violated federal law when it fired an employee because of his disability, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit recently filed.

According to the lawsuit, Lubin Logistics hired a package delivery driver in November 2021. At that time, the employee told his supervisors that he suffered from lupus, an autoimmune disease that can cause pain and inflammation throughout the body. The employee successfully completed multiple training shifts as a “jumper” who delivered packages on a truck driven by another driver.

Approximately two weeks later, the employee was assigned to a Lubin Logistics truck without a working door, working heating system, or functional passenger seat. The employee suffered a rare lupus “flare-up,” causing severe pain in his legs and feet. The employee requested and received permission to return to the delivery terminal prior to the end of his shift.

Before his next shift, however, a company supervisor sent a text message to the employee stating that he could no longer work for them because of his medical condition. Although the employee insisted that he could continue to perform his

duties or could work as a package loader, the company ignored his pleas and fired him, the EEOC said.

Such alleged conduct violated the Americans with Disabilities Act (ADA), which prohibits disability discrimination and retaliation against an employee for requesting or receiving a reasonable accommodation for their disability. The EEOC filed suit (EEOC v. Lubin Logistics Company, Case No. 1:24-cv-01911-JPB-LTW) in U.S. District Court for the Northern District of Georgia after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

“The ADA prohibits the termination of an employee because of a disability, actual or perceived,” said Marcus G. Keegan, regional attorney for the EEOC’s Atlanta District Office. “Additionally, the ADA prohibits employers the termination of an employee because of their request for an accommodation related to a disability. Lubin Logistics violated both rules when it fired an employee because of his medical condition and his one-time request, when he had otherwise been capable of performing the essential functions of his job.”

Darrell Graham, district director of the Atlanta office, said, “Employees have a right to be evaluated based on their ability to perform the essential functions of their job — not based on their medical conditions or their requests for reasonable accommodations related to those conditions. The EEOC is committed to enforcing the ADA to protect the rights of employees with disabilities.”

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

The EEOC’s Atlanta District Office has jurisdiction over the State of Georgia and the Counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Hampton, Jasper, and Williamsburg in the State of South Carolina.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. 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) (<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>).

Recent Press Releases from the Atlanta District Office

[EEOC Sues Reliable Maintenance Solutions for Disability Discrimination](https://www.eeoc.gov/newsroom/eeoc-sues-reliable-maintenance-solutions-disability-discrimination)
(<https://www.eeoc.gov/newsroom/eeoc-sues-reliable-maintenance-solutions-disability-discrimination>)

[Covenant Woods to Pay \\$78,000 in EEOC Discrimination Lawsuit](https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit) (<https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit>)

[EEOC Sues Sureste Property Group for Race Discrimination](https://www.eeoc.gov/newsroom/eeoc-sues-sureste-property-group-race-discrimination) (<https://www.eeoc.gov/newsroom/eeoc-sues-sureste-property-group-race-discrimination>)

Recent Press Releases on the Subject of Age, Disability

[Maximum Security to Pay \\$22,500 to Settle EEOC Age and Disability Discrimination Lawsuit](https://www.eeoc.gov/newsroom/maximum-security-pay-22500-settle-eeoc-age-and-disability-discrimination-lawsuit) (<https://www.eeoc.gov/newsroom/maximum-security-pay-22500-settle-eeoc-age-and-disability-discrimination-lawsuit>)

[EEOC Sues Reliable Maintenance Solutions for Disability Discrimination](https://www.eeoc.gov/newsroom/eeoc-sues-reliable-maintenance-solutions-disability-discrimination)
(<https://www.eeoc.gov/newsroom/eeoc-sues-reliable-maintenance-solutions-disability-discrimination>)

[Covenant Woods to Pay \\$78,000 in EEOC Discrimination Lawsuit](https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit) (<https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit>)