



U.S. Equal Employment Opportunity Commission

Press Release

05-13-2024

Maximum Security to Pay \$22,500 to Settle EEOC Age and Disability Discrimination Lawsuit

Federal Agency Charged Security Company Made Disparaging Comments and Fired 57-Year-Old Employee After Heart Attack

NEW YORK – Maximum Security NYC, Inc., a security company headquartered in Queens, New York, will pay a former employee \$22,500 and implement an anti-discrimination policy and training program to resolve an age- and disability-discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to the EEOC's lawsuit, Maximum Security had given a 57-year-old employee numerous assignments at client hotels where he was responsible for assisting with evacuations and acting as a liaison to the local fire department during an emergency. However, after the employee suffered a heart attack in December 2020 and returned to work, his supervisor repeatedly told him that he should retire already given his age and heart attack, and then explicitly fired him for the same reasons.

The alleged conduct violated both the Americans with Disabilities Act (ADA) and the

Age Discrimination in Employment Act (ADEA), which prohibit discrimination against employees with disabilities and against employees because of their age, respectively. The EEOC filed suit (EEOC v. Maximum Security NYC, Inc., Civil Action No. 1:22-cv-05641) in U.S. District Court for the Eastern District of New York after the parties were unable to reach a pre-litigation settlement through the EEOC's conciliation process.

The decree settling the suit provides for \$22,500 in emotional distress damages to be provided to the employee terminated due to his age and disability. The decree also provides for significant non-monetary relief designed to prevent future discrimination, including issuance of a robust new anti-discrimination policy covering age, disability, and other forms of discrimination; extensive and continuing anti-discrimination training for managers and employees; and strong injunctions against discrimination based on age or disability and improperly storing employees' medical records. The EEOC will monitor Maximum Security's compliance with these obligations for more than two years.

"Age and disability discrimination are unjust and unlawful," said Daniel Seltzer, a trial attorney in the EEOC's New York District Office. "An employer cannot rely on stereotypes or fears to deny employees the opportunity to work."

Yaw Gyebi, Jr., director of the EEOC's New York District Office, said, "The EEOC remains steadfastly committed to enforcing the ADA in all aspects of employment; that includes employees who may have had cardiac problems but are still able to perform the essential functions of their job."

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

The EEOC's New York District Office is responsible for addressing discrimination charges and conducting agency litigation in Connecticut, Maine, Massachusetts, New Hampshire, New York, northern New Jersey, Rhode Island and Vermont.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. 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/) (<https://public.govdelivery.com/>)

[accounts/USEEOC/subscriber/new](#)).

Recent Press Releases from the New York District Office

[EEOC Sues New York Beer Project for Discriminating Against Employees Because of Their Medical Conditions \(https://www.eeoc.gov/newsroom/eeoc-sues-new-york-beer-project-discriminating-against-employees-because-their-medical\)](#)

[Tech Mahindra to Pay \\$255,000 to Settle EEOC Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/tech-mahindra-pay-255000-settle-eeoc-disability-discrimination-lawsuit\)](#)

[Jury Awards \\$1.675 Million in EEOC Disability Discrimination Case Against McLane Northeast \(https://www.eeoc.gov/newsroom/jury-awards-1675-million-eeoc-disability-discrimination-case-against-mclane-northeast\)](#)

Recent Press Releases on the Subject of Age

[EEOC Sues Smithfield Foods for Age Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-smithfield-foods-age-discrimination\)](#)

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

[Urbana School District No. 116 to Pay \\$206,301 in EEOC Age Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit\)](#)