



News

Andrew Gordon Discusses Recent EEOC Lawsuit Alleging Breast Cancer Discrimination in the Workplace

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Hinshaw partner Andrew Gordon was recently quoted in a *SHRM Magazine* article reporting on the U.S. Equal Employment Opportunity Commission's (EEOC) recent lawsuit against an Ohio-based workforce development organization for allegedly denying an employee with breast cancer reasonable accommodations and forcing her to resign.

Gordon stated that the employer "could have done so many things differently" to better support the employee. "At a minimum, the employer should have engaged in the interactive process with this employee to determine what accommodations, if any, could have been made," he said.

Gordon noted that employees are increasingly requesting remote work as an accommodation for an ADA-related disability. He stated that allowing employees to work remotely due to their disability often is a "doable" accommodation, considering companies permitted it for months during the pandemic, but many employers believe certain jobs can no longer be done remotely and are denying remote work requests—even ones made as part of a requested reasonable accommodation under the ADA.

[Read the full article](#) (*subscription required*)

"EEOC Lawsuit Highlights Cancer Discrimination in the Workplace" was published by *SHRM Magazine* on February 24, 2023.

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