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DFEH Settles Employment Disability Discrimination Case Against Save Mart Supermarkets

Stanislaus County employee terminated after a medical leave of absence receives \$75,000.

Sacramento – The California Department of Fair Employment and Housing (DFEH) has reached a settlement in a disability discrimination case with Save Mart Supermarkets (Save Mart) on behalf of an employee working in Stanislaus County. Save Mart owns two hundred and five stores located throughout California and Nevada and employs approximately 16,000 employees.

The employee filed a discrimination complaint with the DFEH on April 2016 alleging she was on a leave of absence when the company terminated her employment. She alleged that she was denied a good faith interactive process, denied a reasonable accommodation and was unlawfully terminated by Save Mart. The DFEH found cause to believe a violation of the Fair Employment and Housing Act (FEHA) had occurred.

In addition to a monetary settlement, Save Mart will provide training about FEHA's disability accommodation requirements to its supervisors, managers, and human resources team. Save Mart will establish a toll-free hotline for employees who have concerns relating to requests for accommodation, discrimination, or leaves of absence.

“As a result of this agreement, Save Mart is implementing concrete measures to improve processes for accommodating employees with disabilities,” said DFEH Director Kevin Kish. “Supervisors and managers will learn tools to better interact with employees who make requests for accommodation, including requests for a leave of absence.”

Staff Counsel Jennet Zapata and Assistant Chief Counsel Nelson Chan represented the DFEH in this matter.

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The DFEH is the state agency charged with enforcing California's civil rights laws. The mission of the DFEH is to protect the people of California from unlawful discrimination in employment, housing and public accommodations and from hate violence and human trafficking. For more information, visit the DFEH's web site at www.dfeh.ca.gov.

