Des Moines Civil & Human Rights Commission Settles Disability Discrimination Complaint

Employer Agrees to Pay $22,000 to Former Employee for Failing to Engage in an Interactive Process

DES MOINES, IA – The Des Moines Civil and Human Rights Commission announced today that it has reached a conciliation agreement with an employer in Des Moines, Iowa, settling allegations that it discriminated against an employee who had a disability and was subsequently terminated by the employer instead of engaging in an interactive process to determine if they could accommodate the disability.

The Des Moines Human Rights Ordinance prohibits discrimination because of a disability, including refusal to engage in the interactive process and attempt to give a reasonable accommodation when a person with a disability requests such an accommodation.

“If an employee needs an accommodation for a disability, the employer must engage in an interactive process with the employee discussing what the employee needs, limitations and if there is a reasonable way to accommodate the employee,” said Joshua V. Barr, Director of the Des Moines Civil & Human Rights Commission. “The Commission will continue working to ensure that no person loses his or her job because an employer failed to engage in an interactive process, and that employers in Des Moines understand and meet their responsibility to comply with the city’s disability and other human rights laws.”

The agreement is the result of a complaint that was filed by an employee in the Des Moines who held a physically demanding job and notified her employer of an upcoming surgery and the need for time off to recover. The employer did not fulfill its duty to engage in the interactive process with the employee regarding her restrictions and anticipated leave, and terminated her employment. The Des Moines Commission successfully conciliated the matter.

Under the terms of the agreement, the employer will pay the former employee $22,000 and the employer has agreed to undergo civil rights training regarding disability discrimination.

Any person who believes they have experienced discrimination may file a complaint by contacting the Des Moines Civil and Human Rights Commission at (515) 283-4284 or humanrights@dmgov.org. Discrimination complaints may also be filed online.

The Des Moines Civil & Human Rights Commission works to foster justice and equality for all people who live or visit Des Moines by creating an atmosphere of opportunity regardless of: race, color, creed, religion, age, gender, sexual orientation, ancestry, national origin, physical and mental disability or family status. More information is available at www.HumanRightsDSM.org.