

Andrew Gordon Discusses Significance of EEOC Enforcement Action Over Alleged Denial of Request to Bring Service Dog to Work

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Hinshaw partner Andrew Gordon was recently quoted in *SHRM* regarding a recent Americans with Disabilities Act (ADA) lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC) against the retailer Hobby Lobby. The EEOC alleged the retailer had unreasonably refused to accommodate an employee's request to bring a fully trained service dog to work to help alleviate her symptoms of post-traumatic stress disorder, anxiety, and depression.

Gordon noted the interactive process inherent under the ADA makes it one of the most confusing laws for employers because it can create gray areas that can result in charges of discrimination and lawsuits.

"In this case, the EEOC appears to believe that Hobby Lobby reached the wrong conclusion after going through the interactive process regarding whether or not to allow this employee to use a service animal," he said. "However, it is very important to keep in mind that this is just a lawsuit—just allegations. This will be a very fact-intensive process and will not be a slam dunk either way."

"When Should Service Dogs Come to Work" was published by *SHRM*, July 14, 2022.

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