



Amazon Prohibits Employee from Taking Heart Medication at Work

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MCCORMACK & ERlich

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A former Amazon employee suffering from a heart condition claimed the online retail giant failed to accommodate his need to take a daily lifesaving medication. Instead, he was fired from his job. On April 25, plaintiff Francisco Socarras filed a disability discrimination lawsuit against the company, alleging wrongful termination, retaliation and failure to grant family medical leave.

Socarras worked at Amazon's warehouse in Tracy, California from August 2014 until he was fired in April 2016. After a heart valve replacement surgery in 2015, Socarras was required to take daily blood thinner shots to ensure the smooth functioning of his new mechanical valve. He took a five- to 10-minute break from his workstation once a day in order to self-administer the heart medication.

According to the lawsuit, one supervisor told Socarras he was not allowed to leave his workstation because it would slow down Amazon's efficiency rates in processing orders. However, Socarras continued leaving his workstation to take the necessary, life-preserving shots.

Attorney Jason M. Erlich of McCormack and Erlich, a San Francisco, California-based employment law firm, is representing Socarras. "This is not the first time the working conditions and policies of Amazon's warehouses have raised concerns. Amazon is known to care a great deal about efficiency," commented Erlich. "It appears the company felt Mr. Socarras' request would hamper their productivity, so they denied it. As an employer, Amazon had a legal duty to discuss possible ways in which to accommodate Mr. Socarras and his medical condition so that he could continue working."

In February 2016, Socarras requested a medical leave in order to deal with heart complications. Although Amazon initially approved his medical leave, the company fired him a few days after his return to work in April 2016, saying the leave was not approved. Socarras alleged that his employment was terminated in an effort to mask Amazon's true intent to discriminate against him in violation of the California Fair Employment and Housing Act and the federal Americans with Disabilities Act.

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Mr. Francisco Socarras

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Although Socarras had a physical disability, it did not interfere with his ability to perform the essential duties of his job, which included packing and sorting customer orders, as well as working the giftwrap station. However, Amazon refused to engage in a meaningful, interactive process about reasonable accommodations for Socarras' disability. For example, the company could have offered a modified schedule or allowed him a few minutes during his shift to administer the drug injection.

"Such accommodations would have cost Amazon little to no money or hardship to implement. Yet they would have allowed Mr. Socarras to continue his employment with Amazon," said Erlich.

Socarras is seeking compensation for lost wages, earnings and benefits, as well as damages for emotional distress due to his employer's actions.

Learn more at <http://mcelawfirm.com/>

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