



U.S. Equal Employment Opportunity Commission

Press Release

07-19-2024

Hatzel & Buehler to Pay \$500,000 to Settle EEOC Age Discrimination Suit

New Jersey Branch Subjected Older Workers to Discriminatory Hiring and Recruitment Practices, Federal Agency Charged

TRENTON, N.J. – Hatzel & Buehler, Inc., a commercial electrical contractor with branch locations in eight states and the District of Columbia, will pay \$500,000 to settle an age discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC) against the company's New Jersey branch, the federal agency announced today.

According to the EEOC's lawsuit, since at least November 2020, the vice president of Hatzel & Buehler's New Jersey branch engaged in age discriminatory recruiting and hiring practices when he requested that recruiting companies seek out younger project manager and estimator candidates for job opportunities and then refused to hire older workers because they did not fall within his desired age range. The EEOC's lawsuit also alleged that the same vice president failed to retain job applicant and hiring-related records in violation of federal law.

Such alleged conduct violates the Age Discrimination in Employment Act of 1967 (ADEA), which prohibits age discrimination in employment, including refusing to recruit or hire candidates because they are 40 years of age and older. The EEOC filed

suit (U.S. EEOC v. Hatzel & Buehler, Inc., Civil Action No. 3:23-cv-03093) in U.S. District Court for the District of New Jersey in Trenton, New Jersey, after first attempting to reach a pre-litigation settlement through the conciliation process.

The parties voluntarily agreed to settle the case by entry of a consent decree, which has now been approved by a federal court. In addition to paying \$500,000 in monetary relief to a group of eight older job candidates, the company will provide significant equitable relief, including: prohibiting the vice president of Hatzel & Buehler's New Jersey branch from making final decisions regarding which job candidates to interview or hire for project manager and estimator positions; adopting robust anti-discrimination policies; providing specialized training to company officials and employees who participate in the recruitment and hiring processes for New Jersey branch positions; and complying with mandatory reporting and EEOC monitoring requirements.

“Job candidates should be evaluated based on their qualifications, not their age,” said EEOC Philadelphia District Office Regional Attorney Debra M. Lawrence. “The EEOC will continue to hold employers accountable for age-discriminatory recruitment and hiring practices.”

EEOC Philadelphia District Office Director Jamie R. Williamson said, “The EEOC is committed to enforcing the ADEA, which protects older workers and job applicants from discrimination at every step of the employment process.”

The lawsuit was commenced by the EEOC's Philadelphia District Office. The Philadelphia District Office has jurisdiction over West Virginia, Pennsylvania, Maryland, Delaware and parts of New Jersey and Ohio. Attorneys in the Philadelphia District Office also prosecute discrimination cases in Washington, D.C. and parts of Virginia.

For more information on age discrimination, please visit

<https://www.eeoc.gov/age-discrimination> (<https://www.eeoc.gov/age-discrimination>).

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at **www.eeoc.gov (<https://www.eeoc.gov/>)**. Stay connected with the latest EEOC news by subscribing to our **[email updates](https://public.govdelivery.com/accounts/USEEOC/subscriber/new)** (**<https://public.govdelivery.com/accounts/USEEOC/subscriber/new>**).

Recent Press Releases from the Philadelphia District Office

Maryland Department of Health's Thomas B. Finan Center to Pay \$270,000 in EEOC Sex Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/maryland-department-healths-thomas-b-finan-center-pay-270000-eeoc-sex-discrimination>)

EEOC Sues AccentCare Home Health Care Company for Pay Discrimination and Retaliation (<https://www.eeoc.gov/newsroom/eeoc-sues-accentcare-home-health-care-company-pay-discrimination-and-retaliation>)

Pro Pallet to Pay \$50,000 in EEOC Retaliation Suit (<https://www.eeoc.gov/newsroom/pro-pallet-pay-50000-eeoc-retaliation-suit>)

Recent Press Releases on the Subject of Age

EEOC Sues General Motors and UAW for Age Discrimination (<https://www.eeoc.gov/newsroom/eeoc-sues-general-motors-and-uaw-age-discrimination>)

TKO Construction Services to Pay \$300,000 to Settle EEOC Sex, Race and Age Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/tko-construction-services-pay-300000-settle-eeoc-sex-race-and-age-discrimination-lawsuit>)

Northern Virginia Surgery Center Pays \$50,000 in EEOC Disability and Age Discrimination Lawsuit (<https://www.eeoc.gov/newsroom/northern-virginia-surgery-center-pays-50000-eeoc-disability-and-age-discrimination-lawsuit>)