

NEWS

Kentucky man, transgender wife sue Amazon for workplace bias

David Crary Associated Press

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A Kentucky man and his transgender wife sued Amazon on Wednesday, alleging that they endured sustained discrimination and harassment during a year as co-workers at the mammoth online retailer's warehouse in northern Kentucky.

A lawyer working with the couple said the case is notable in part because Amazon, one of the nation's largest corporations, has a record of strongly supporting gay and transgender rights.

The lawsuit, filed in U.S. District Court in Covington, Kentucky, alleges that Dane Lane and Allegra Schawe-Lane were targeted with threats, slurs and sexual harassment by numerous colleagues at their shipping facility. Their complaints to superiors led to retaliation in some cases, rather than any effective steps to halt the abuse, the couple contends.

At one point, according to the suit, the brake line of their car was severed while parked in a secure lot at the workplace in Hebron, Kentucky.

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Amazon declined to respond to the allegations, saying in an email, "We have a practice of not commenting on active litigation."

The plaintiffs' case will be handled by Kentucky lawyers on behalf of the Transgender Legal Defense & Education Fund, a national transgender-rights organization.

The fund's executive director, Jillian Weiss, noted that Amazon has intervened in other court cases in support of transgender rights, and that the company's Amazon Studios produced the

acclaimed television series “Transparent” with a protagonist who transitions from male to female.

“We have a company that touts its transgender friendliness,” Weiss said. “Yet in Kentucky, when a transgender person comes and says, ‘Look, I’m being harassed,’ they get no help.”

Schawe-Lane said she sought a job with Amazon in part because of the company’s reputation as LGBT-friendly. Its own corporate policy prohibits discrimination based on sexual orientation and gender identity.

“I thought we would be safe and accepted,” Schawe-Lane said in a telephone interview. “Instead it was like a bad dream. Every day, I’d wish it was ‘Candid Camera’ and someone would pop out and say it was all a joke.”

The couple was hired by Amazon in October 2014 and resigned a year later, saying conditions at their workplace were intolerable.

Two months before resigning, they filed discrimination charges with the U.S. Equal Employment Opportunity Commission. The EEOC declared earlier this year that evidence substantiated some of the couple’s allegations and said they had grounds for a lawsuit.

The lawsuit seeks both compensatory payment and punitive damages, with the amount to be determined by a jury. It also seeks a court order requiring Amazon to implement workplace programs that would ensure respectful treatment of transgender employees.

Several other transgender-rights lawsuits have been litigated recently, with mixed results. The Kentucky case alleges that various abuses suffered by the plaintiffs violated provisions of the U.S. and Kentucky civil rights acts, state and federal labor law, and also the Americans With Disabilities Act. According to Weiss, the ADA comes into play in this case because Schawe-Lane’s status as a transgender woman was perceived her employers as a disability.

Aside from their experience at Amazon, the couple said they generally feel accepted in their community and have no desire to leave Kentucky. However, they said they are both undergoing treatment related to the workplace traumas they experienced, and have been advised by their doctors that they are not ready to take new jobs.

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