

## **Hunter Douglas fired immunocompromised employee during pandemic, suit says**

By Gavin Hart, Esq.

(July 6, 2020) - A former product manager for Hunter Douglas Fabrication Co. alleges the window coverings manufacturer discriminated against her because she has lupus, an autoimmune disease, and wrongfully terminated her during the COVID-19 pandemic.

*Fries v. Hunter Douglas Fabrication Co. et al.*, No. 34-2020-00281090, *complaint filed*, 2020 WL 3496979 (Cal. Super. Ct., Sacramento Cty., June 22, 2020).

Heather Fries filed suit June 20 in the Sacramento County Superior Court, alleging the company failed to prevent discrimination and harassment due to her disability and used the pandemic as a false pretext to terminate her.

Julian Burns King of Los Angeles based-law firm King and Siegel LLP is representing Fries.

### **Alleged disability and gender discrimination**

Fries began working for Hunter Douglas in 1999 and worked her way up to product manager in the company's West Sacramento facility, the suit says.

She used medical leave in 2014 to undergo surgery after a work injury, and the following year was diagnosed with blood clots caused by lupus. According to the complaint, she took a month to recover.

In 2019, Fries' doctors recommended she undergo extensive treatment for severe depression, including electroconvulsive therapy, and she was granted medical leave from November 2019 until Feb. 18, 2020, the suit says.

As a manager, Fries reported to work March 4 to help sanitize the Hunter Douglas plant to resume operations during the coronavirus.

Fries says her manager, Gilbert Ramirez, remarked that immunocompromised individuals "like Heather" would not be required to report to work during the COVID-19 crisis, but the plaintiff alleges she never discussed her lupus diagnosis with her manager or sought accommodations for it during the pandemic.

Fries alleges Ramirez overscrutinized her performance and complained about other employees taking leave that affected operations. The suit says it was clear Fries' manager had a problem with her disability and resented her for using medical leave.

The complaint further alleges that Ramirez passed over Fries for promotion in favor of one of her male subordinates, after telling her that Hunter Douglas had urged management to reduce salaries and costs.

Fries says she feared for her job after the promotion of her subordinate, Ramirez's hostility toward her disability and the company's message that it wanted to reduce costs.

Hunter Douglas laid off Fries and two other employees — among a staff of 150 — on April 17, citing the "COVID-19 crisis and lower than expected sales levels," the suit says. Claim to original U.S. Government Works.

Fries alleges her termination was instead motivated by her lupus and severe depression.

The complaint alleges Ramirez commented to others at Hunter Douglas that Fries' termination would be less stressful for her and that he did not want her to worry about COVID-19 while dealing with work.

Fries says Ramirez's comments are an admission that her health conditions played a role in her termination.

The suit asserts claims of disability and gender discrimination, retaliation and failure to prevent harassment and discrimination claims against Hunter Douglas, under the California Fair Employment and Housing Act, Cal. Gov't Code § 12940, plus wrongful termination in violation of public policy.

Fries seeks unspecified compensatory and punitive damages.

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