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For Immediate Release

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Notice of Findings issued against Home Goods

Akia Haynes, Deputy Director of the Indiana Civil Rights Commission (ICRC), has issued a Notice of Finding against Home Goods. The charge states that probable cause exists to believe that an unlawful discriminatory practice has occurred (Ind. Code § 22-9, *et seq.*).

By way of background, a Home Goods store in Brownsburg, Indiana hired Complainant as an hourly production employee on or about June 30, 2014. Home Goods' employment application required him to disclose whether he had been convicted of a crime in the past seven years. While Complainant answered no, he admits that he had several felony convictions from 2002 and 2005, outside of the requested timeframe. Home Goods hired Complainant and he performed his duties without issue. Several months later, on or about November 6, 2014, Complainant's supervisor handed him a copy of his background check and said that he was terminated because of his felony convictions. Complainant asserts that a bi-racial employee and a white employee have criminal convictions but are still employed with Home Goods.

Despite being given an opportunity to refute Complainant's assertions, Home Goods failed to do so. As such, following the investigation, probable cause exists to believe that a discriminatory practice occurred as alleged.

In order to prevail, Complainant must show that: (1) he is a member of a protected class; (2) he suffered an employment action; (3) he was meeting his employer's legitimate performance expectations; and (4) similarly-situated employees of another race were treated more favorably under similar circumstances.

A public hearing is necessary to determine whether a violation occurred as alleged. The parties may agree to have these claims heard in the circuit or superior court in the county in which the alleged discriminatory act occurred. However, both parties must agree to such an election and notify the ICRC within 20 days of receipt of their notice, or the ICRC's Administrative Law Judge will hear this matter.

The Indiana Civil Rights Commission enforces the Indiana civil rights laws and provides education and services to the public in an effort to ensure equal opportunity for all Hoosiers and visitors to the State of Indiana.

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