

## INDEPENDENT CONTRACTOR CASES

1. Horowitz v. National Institutes of Health Appeal No. 0120133147 (February 3, 2014).

An example of our analysis of whether a complainant is an independent contractor or an agency employee. A point-by-point review of all the factors relied upon when analyzing this issue.

2. Complainant v. Department of Defense, Appeal No. 0120133147 (February 3, 2014)

former Agency employee, currently a contractor, has his prior Agency employment status “extend” in his current contractual dealings with that prior Agency employer.

## FAILURE TO STATE A CLAIM:

Complainant v. USPS, EEOC Request No. 052020403 (April 7, 2014),

physical change in position may state a claim when the job change is alleged to render the complainant physically unable to perform

## ATTORNEY FEES

Taft/Jacobsen v. Department of the Navy , EEOC Appeal Nos. 0720100046, 0720100047 (September 7, 2012) EEOC Request No. 0520130075 (May 1, 2014)

One of the largest attorney fees granted by OFO for individual complainants --\$647,116.54 regarding cases that spanned a ten-year history

## REASONABLE ACCOMODATION – the simple and complex

Complainant v. USPS, EEOC Appeal No. 0120140129 (May 25, 2014) Simple reasonable accommodation request, undue delay found by OFO

Complainant v. Dept. of Treasury, EEOC Appeal No. 0120123107 (March 19, 2014)..question of whether various tools provided as reasonable accommodation were effective: pager, video mail, videophone equipment, ramification of cyber security requirements.

HISTORICAL CONTEXT (older case): Winstead v. SSA, EEOC Appeal No. 0120092907 (agency made “best efforts” in implementation of “Dragonware” voice detection software. . no discrimination found

## RELIGIOUS ACCOMMODATION

Complainant v. USPS EEOC Appeal No. 0120140671 (April 1, 2014). No denial of religious accommodation regarding a request to take time off for Ash Wednesday

## DIVULGING CONFIDENTIAL MEDICAL INFORMATION

Complainant v. USPS, EEOC Appeal No. 0120141182 ( May 23, 2014) a complainant is aggrieved when an Agency requests submission of documentation that clearly sets forth the nature of her medical condition.

## MISCELLANEOUS

Complainant v. USPS, EEOC Appeal No. 0120122821 (February 19, 2014). Agency “jumped gun” when it issued a final decision when the case was in the AJ’s jurisdiction

