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Spencer's Gifts Commits to Reforming Workplace Disability Policies Across California

Settlement resolves state investigation into alleged disability discrimination against former employee at store in Alameda County

SACRAMENTO – The California Civil Rights Department (CRD) today announced reaching a nearly \$100,000 settlement with Spencer Gifts, LLC (Spencer's) to resolve a state investigation into alleged disability discrimination against a former employee at a store in Alameda County. As part of the settlement, Spencer's, which has stores in nearly 60 cities across California, has agreed to provide training to human resources staff statewide, update their policies for workers with disabilities, and compensate the former employee.

"More than a quarter of adults in the United States have a disability," said **CRD Director Kevin Kish**. "The fact that someone uses a wheelchair does not mean their boss can automatically question whether they can do the job. Employers need to know their responsibilities when it comes to disabilities in the workplace."

It's Obvious Though

In late 2024, CRD received a complaint against Spencer's from a former employee who alleged that they were unlawfully suspended from work and told they could not return unless they were able to provide medical documentation explaining their use of a wheelchair. The former employee shared that they had already been working in sales at the store in Alameda County for about a month before a manager told them that they needed to go through the disability accommodation process to keep working.

Under California law, employers generally may not ask people using medical devices, including wheelchairs, about their disability unless it is both job-related and consistent with business necessity. In other words, if a person's disability is obvious and does not get in the way of their ability to do the job, employers are generally required to let them do the work. According to the [U.S. Centers for Disease Control and Prevention](#), more than 1 in 4 adults in the United States have some type of disability, including more than 12% with difficulty walking or climbing stairs.

State Takes Action

After conducting an initial investigation, CRD determined that Spencer's violated state protections for workers with disabilities and provided the company an opportunity to resolve the allegations through mediation. As a result of the settlement, Spencer's, without admitting liability, will:

- Train all staff involved in hiring, supervising, and human resources on the state's reasonable accommodations process for workers with disabilities.
- Update its policies regarding medical devices and reasonable accommodations, including a clause to ensure employees are not suspended while a request is being evaluated.
- Report to the state on the outcomes of future reasonable accommodations requests.
- Pay \$97,500 in compensation to the former employee.

If you or someone you know has experienced disability discrimination, CRD may be able to assist you through its [complaint process](#). The department also [provides general information and factsheets online](#) about civil rights protections, including on [disability discrimination in the workplace](#).

The settlement announced today was secured by Senior Staff Counsel Jacy Gaige. It was mediated by Senior Attorney Mediator Yu-Yee Wu.

You can learn more by [reading a copy of the settlement](#).

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The California Civil Rights Department (CRD) is the state agency charged with enforcing California's civil rights laws. CRD's mission is to protect the people of California from unlawful discrimination in employment, housing, public accommodations, and state-funded programs and activities, and from hate violence and human trafficking. For more information, visit calcivilrights.ca.gov.

