



Maine Human Rights Commission

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INVESTIGATOR'S REPORT

E15-0370

May 26, 2015

Jonathan D. Davis (Brewer)

v.

Home Depot¹ (Bangor)

I. Complainant's Complaint:

Complainant Jonathan D. Davis alleged that Respondent Home Depot discriminated against him on the basis of age by subjecting him to an unlawful pre-employment inquiry and by failing to hire him for a position. In particular, his claim is against Home Depot's store located in Bangor.

II. Respondent's Answer:

Home Depot denied that Mr. Davis was discriminated against on the basis of age, as Home Depot did not have an available Loss Prevention Investigator position at Store 2414 when Mr. Davis submitted his application.

III. Jurisdictional Data:

- 1) Dates of alleged discrimination: January 30, 2015.
- 2) Date complaint filed with the Maine Human Rights Commission ("Commission"): July 27, 2015.
- 3) Respondent, which has approximately 360,000 employees, is subject to the Maine Human Rights Act ("MHRA"), the Age Discrimination in Employment Act, and state and federal employment regulations.
- 4) Complainant is not represented by counsel. Respondent is represented by Kim D. Ashford.
- 5) Investigative methods used: A thorough review of the written materials provided by the parties. This preliminary investigation is believed to be sufficient to enable the Commissioners to make a finding of "reasonable grounds" or "no reasonable grounds" here.

IV. Development of Facts:

- 1) The parties in this case are as follows:

¹ Complainant's complaint named "Home Depot" as the Respondent; Respondent gave its legal name as Home Depot, U.S.A., Inc. Because Complainant has not amended his complaint, the name provided by Complainant has been retained.