



Maine Human Rights Commission

51 State House Station, Augusta, ME 04333-0051

Physical location: 19 Union Street, Augusta, ME 04330

Phone (207) 624-6290 ▪ Fax (207) 624-8729 ▪ TTY: Maine Relay 711

www.maine.gov/mhrc

Amy M. Sneirson
EXECUTIVE DIRECTOR

Barbara Archer Hirsch
COMMISSION COUNSEL

INVESTIGATOR'S REPORT MHRC Case Number: E18-0313 August 13, 2019

Dawn Carey (Bangor)

v.

Avis Budget Group (Bangor)¹

I. Summary of Case:

On August 20, 2018, Complainant filed her Complaint with the Maine Human Rights Commission ("Commission") alleging that Respondent discriminated against her based on her age and her religion.² Respondent denied discrimination, stating that it did not hire Complainant for a full-time position, because she was not the most qualified candidate.

II. Summary of Investigation:

The Investigator reviewed the following documents as part of the investigation: (i) Complaint filed by Complainant on August 20, 2018; (ii) Respondent's response received on November 5, 2018; (iii) Complainant's rebuttal received on December 12, 2018; and (iv) responses to requests for additional information.

III. Analysis:

The Maine Human Rights Act ("MHRA") provides that the Commission or its delegated investigator "shall conduct such preliminary investigation as it determines necessary to determine whether there are reasonable grounds to believe that unlawful discrimination has occurred." 5 M.R.S. § 4612(1)(B). The Commission interprets the "reasonable grounds" standard to mean that there is at least an even chance of Complainant prevailing in a civil action.

In March 2018, Complainant applied for a full-time position as a sales associate for Respondent. Complainant was over 60 years old at the time she applied. Respondent interviewed Complainant and allegedly asked her if she was interested in a part-time position with the possibility of getting more hours when it entered its busy season.

¹ Respondent provided Complainant was employed by AB Car Rental Services, Inc., a subsidiary of Avis Budget Car Rental, LLC. Complainant did not amend her complaint so the name she used has been retained.

² Respondent told Complainant not to say "God Bless You" to customers that she was assisting. The issue never came up again and Complainant suffered no adverse action beyond the suggestion not to use the religious phrase. This claim fails and will not be analyzed in the report.