

# Home Depot could pay for mishandled firing



Maurice Rucker, a 60-year-old black man, was a long-time employee at a Home Depot store in Albany, N.Y. He doesn't work there anymore. His response to a customer's racist rant got him fired. The public's response to Rucker's firing won him a reinstatement offer.

But by then, Rucker said, he'd had enough of Home Depot.

This all happened just days after Rucker was named June's Cashier of the Month at the store.

While working the cash register, Rucker asked a customer to please leash his dog, which was loose in the store. The customer, according to Rucker's recounting, fired back with a message: "If Trump wasn't president, you wouldn't even have a job. You're from the ghetto. What do you know?" The customer allegedly yelled expletives, called Rucker racist names and falsely declared former President Barack Obama a Muslim.

Rucker told the customer, "You're lucky I'm at work, because if I wasn't, you wouldn't be talking to me like this."

When Home Depot management found out about the ugly incident five days later, it fired Rucker. According to press reports, the retailer said Rucker had failed to follow company policy to "disengage and alert management about a customer confrontation."

Rucker took to social media to tell his story, which quickly went viral. Twitter users threatened a boycott.

Before long, Home Depot reconsidered and offered to reinstate Rucker to his old job, with back pay.

He declined and is pursuing legal action.

**Final note:** Home Depot messed up. Firing Rucker for failing to disengage with an abusive customer may have been the safe approach—at least according to the company's insurance carrier and lawyers. But in the process, it missed an opportunity to do the right thing by its loyal employee.

And that left it exposed to a potential lawsuit. After all, employees are entitled to work in an environment that is not hostile to their protected characteristics.

**Advice:** Employers must respond to customer harassment just as they must when co-workers or supervisors are the harassers. Take prompt action to stop harassment as it occurs, as well as steps to prevent further harassment.