

**IN THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
BALTIMORE DISTRICT OFFICE**

RONALD JANTZ, *et al.*, individually and on
behalf of all others similarly situated,

Complainants,

v.

MICHAEL J. ASTRUE,
Commissioner,
Social Security Administration,

Agency.

EEOC No. 531-2006-00276X
Agency No.: HQ-06-2518-SSA

Date: January 25, 2011

NOTICE OF CLASS ACTION

The U.S. Equal Employment Opportunity Commission has authorized this Notice.

TO: POTENTIAL CLASS MEMBERS

RE: A CLASS ACTION MAY AFFECT YOUR RIGHTS. CAREFULLY READ THIS NOTICE.

1. This Notice is to inform you that the U.S. Equal Employment Opportunity Commission (“EEOC”) has certified an employee class action claim of discrimination against the Social Security Administration (“SSA”) in the decision of *Ronald Jantz v. Michael J. Astrue, Commissioner, Social Security Administration*, EEOC Appeal No. 0720090019 (August 25, 2010). The action alleges that SSA discriminates against employees with targeted disabilities with respect to promotions.

2. The EEOC has not decided whether SSA did anything wrong. However, your legal rights may be affected if you are a member of the class described below.

DEFINITION OF THE CLASS

3. The class is defined as:

All current and former employees with targeted disabilities at the Social Security Administration who, on or after August 22, 2003, have applied for and made a Best Qualified List for promotion, but were not selected for promotion (the “Class”).

The Administrative Judge's Decision on class certification is available for you to read at <http://www.ssadisabilityclassaction.com/Decision.pdf>. Other documents relating to the class certification are available at www.ssadisabilityclassaction.com.

4. Targeted disabilities are those disabilities that the federal government, as a matter of policy, has identified for special emphasis.¹ The targeted disabilities are:

Hearing - total deafness in both ears (with or without understandable speech);

Vision - inability to read ordinary size print, not correctable by glasses, or no usable vision, beyond light perception;

Missing extremities - missing one arm or leg, both hands or arms, both feet or legs, both hands or arms and one foot or leg, or both hands or arms and both feet or legs;

Partial Paralysis - because of a brain, nerve, or muscle impairment, including palsy, and cerebral palsy, there is some loss of ability to move or use a part of the body, including both hands; any part of both arms or legs; one side of the body, including one arm and one leg; and/or three or more major body parts;

Complete Paralysis - because of a brain, nerve or muscle impairment, including palsy and cerebral palsy, there is a complete loss of ability to move or use a part of the body, including both hands, one or both arms or legs; the lower half of the body; one side of the body, including one arm and one leg; and/or three or more major body parts;

Epilepsy;

Severe Intellectual Disability;

Psychiatric Disability; and,

Dwarfism.²

5. The EEOC has appointed Ronald Jantz, T. Jameel Muhammad, Donna Ring, Ellen Altemose, and Karl Baldwin as the Class Representatives and has designated the law firms of Berger & Montague, P.C., Schneider Wallace Cottrell Brayton Konecky LLP, Disability Rights Advocates, and Brown, Goldstein & Levy, LLP as Co-Lead Counsel for the Class. SSA is represented by its Office of the General Counsel.

6. This Notice is being sent to you because you may be a member of the Class. To be a Class Member, you must meet all of the criteria listed above in the definition of the Class. If you are uncertain whether you are member of the Class, you should contact one of the counsel for the Class (listed below).

7. A final agency decision finding of discrimination is binding on all members of the class and on the agency. A finding of no discrimination is not binding on a class member's individual complaint. Class members may not "opt out" of the class action while it is pending; however, they do not have to participate in the class or file a claim for individual relief. All class

¹ U.S. Equal Employment Opportunity Commission, "Improving the Participation Rate of People with Targeted Disabilities in the Federal Work Force" FN1 (January 2008). <http://www.eeoc.gov/federal/reports/pwtd.html>

² Standard Form (SF) 256, July 2010.

members will have the opportunity to object to a proposed settlement, if any, and to file claims for individual relief if discrimination is found.

NO RETALIATION PERMITTED

8. The law prohibits retaliation for participation in this Litigation. If you believe retaliation has occurred, please contact one of the Co-Lead Counsel listed below to report the retaliation.

CORRECTING YOUR MAILING ADDRESS

9. It is important that your current address, telephone number and email address are correct. If this Notice was sent to you at your current address, you do not have to do anything further to receive notices concerning this Litigation. If it was forwarded by the postal service, or if it was otherwise sent to you at an address that is not current, you should immediately contact one of the Co-Lead Counsel below to correct your contact information.

THE ATTORNEYS REPRESENTING THE CLASS

10. If you are a member of the Class, you will be represented by the Class Representatives and the attorneys designated by the EEOC as Co-Lead Counsel for the Class. Co-Lead Counsel for the Class are:

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