



**For Immediate Release**  
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**LDF Media**  
212-965-2200 / [media@naacpldf.org](mailto:media@naacpldf.org)

### **LDF Files Amended Complaint in Employment Discrimination Class Action Lawsuit**

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF), along with the law firm Outten & Golden LLP, filed an amended complaint in *Mandala v. NTT*, a class action lawsuit challenging discriminatory employment policies at one of the world's largest information technology service providers.

The complaint, which was filed in the New York State Supreme Court, argues that NTT Data (NTT)'s policy of refusing to hire applicants with a criminal record has an unlawful discriminatory effect on Black New Yorkers and otherwise violates New York state law. The plaintiff, George Mandala, initially sought justice through the federal courts, but his case was prematurely dismissed before he had an opportunity to prove his claims, in stark contradiction to U.S. Supreme Court and Second Circuit precedent. Today's filing reflects the continued pursuit for justice through the New York state court system.

Mandala alleges that NTT, which has a significant presence in New York state, routinely rejects job applicants who have criminal records. Mandala, a Black man who has a driving while intoxicated conviction, received a job offer from NTT in 2017. However, the company subsequently rescinded the offer based on an overly restrictive criminal history screening policy.

"It is critical to pursue all avenues to right the injustice I experienced as a job applicant at NTT. I am grateful to have another opportunity to seek justice in the New York state court system and am hopeful that I – and any other New Yorkers who were similarly impacted – can finally obtain relief for this violation of our rights," said plaintiff George Mandala. "A felony conviction should not be a life sentence. Those who have made past mistakes should be able to obtain jobs and contribute to their personal and societal welfare without their criminal records serving as an undue barrier to their success."

"Criminal background check policies that include a blanket ban on hiring individuals with felony convictions are unfair, unlawful, and racially discriminatory," said Rachel Kleinman, Senior Counsel at LDF. "The profound and unjust racial disparities in our criminal system mean that Black people are arrested, convicted, and incarcerated at a disproportionately high rate. When company policies bar the hiring of individuals with felony convictions for no legitimate reason, they further amplify this discrimination because of the disparate impact these policies have on Black people, who have already endured rampant discrimination in the criminal system."

The amended complaint argues that NTT's hiring policy violates New York state law in three ways. First, the policy is unlawful because denying individuals job opportunities based on their criminal history has an unjustified disparate impact on Black people. Second, NTT violates state law that requires that applicants with criminal records are afforded an individualized review process and an opportunity to demonstrate rehabilitation. And, finally, NTT's policy does not give job applicants sufficient notice of their criminal

history rights under state law.

“This filing is another step toward ensuring that New York’s robust employment protections for individuals with criminal histories are enforced, and that Mr. Mandala and others get a fair chance at employment free from discrimination,” said Christopher M. McNerney, Partner at Outten & Golden.

The amended complaint also argues that, in addition to being unlawful, NTT’s hiring policy directly contradicts New York’s stated public policy of removing obstacles to employment for individuals who have criminal records.

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).*