

GARFIELD

Former NJ Walmart worker sues, says she was fired for reporting social distancing violations

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A former employee at the Walmart store in Garfield says she lost her job after calling police in May to report that the store had exceeded capacity limits set due to the coronavirus pandemic.

Ejonte Gilyard, who served as a customer service manager, is suing the store for retaliation and demanding back pay, benefits and other compensatory damages.

The 27-year-old Passaic woman accused the Walmart of flouting its own corporate policy of limiting shoppers to roughly 20% of a store's capacity due to the pandemic, according to the complaint filed last week in state Superior Court.

The policy, implemented in the spring near the height of New Jersey's coronavirus outbreak, allegedly required that door hosts keep a running count of customers who entered.

But on May 2, when the store should have been limited to 428 people at a time, Gilyard was approached by customers and associates worried about the number of shoppers and their failure to follow social distancing guidelines, the suit says.

"The store was in violation of a clear mandate of public policy to protect the health, safety, and welfare of the customer and employees," the suit states.

Gilyard phoned police to report the violations, but officers who arrived that afternoon did not meet with the door hosts or verify the number of people inside, according to the complaint.

Gilyard was fired four days later, "in retaliation for her multiple complaints to management and the Garfield Police Department," the lawsuit alleges.

"She was concerned about the safety of the customers and employees," said Paula Dillon, Gilyard's attorney. "She attempted to follow protocol, and Walmart retaliated against her."

Dillon said her client has been unemployed since May.

MASK FIGHT: Woman's leg breaks after she's thrown to ground in mask fight at Hackensack Staples, police say

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The Garfield Walmart announced in early April that it would close temporarily to undergo a deep cleaning and give staff time to restock shelves.

Other measures were taken to protect employees and customers, a Walmart spokesman said at the time. The store installed sneeze guards at registers, limited the number of customers in the store, created one-way-aisle shopping and enacted an emergency leave policy for associates who were unable to work or uncomfortable being there.

The initiative followed a federal lawsuit alleging that two Walmart employees died from complications of the coronavirus after being exposed at the Walmart Supercenter in Evergreen Park, Illinois. The suit claimed that the store didn't clean and sterilize, did not implement or enforce social distancing guidelines, failed to provide masks and gloves and didn't warn employees about potential exposure from other staffers.

Messages seeking comment from the Garfield store and Walmart's corporate office in Bentonville, Arkansas, did not draw an immediate response.

Tom Nobile covers Superior Court in Bergen County for NorthJersey.com. For unlimited access to the most important news from criminal trials to local lawsuits and insightful analysis, please subscribe or activate your digital account today.

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