

Former Macy's Herald Square Employees Sue Alleging Racial Profiling of Customers

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Four former employees at Macy's Inc.'s ([M](#) - [Get Report](#)) flagship location in New York City's Herald Square are suing the department store chain for firing them after they objected to the company's "long and uncomfortable history of racial profiling."

According to their law firm, Wigdor LLP, the four plaintiffs were told by their managers in Macy's cosmetics and fragrance department to refuse to sell products to Asian customers "in the same manner that white shoppers were permitted," because they assumed that Asian customers would buy in the United States only to sell them at a markup "on the grey market" in their home countries.

Some goods brought into China from other countries are sold on the website [Taobao](#), according to a person familiar with the practice, similar to how Amazon.com Inc. ([AMZN](#) - [Get Report](#)) and eBay Inc. ([EBAY](#) - [Get Report](#)) sell. Taobao is operated by Alibaba Group Holding Ltd. ([BABA](#) - [Get Report](#)).

"Macy's has longstanding policies and practices that embrace and promote diversity and inclusion and prohibit discriminatory conduct against its customers, employees, vendors and business partners," a Macy's representative said in an email. "Macy's denies the allegations in the lawsuit filed by the former Herald Square employees. We are confident that the allegations in this matter will ultimately be found to be without merit."

The plaintiffs allege that they were told to "look out for" and "not sell to" Asian customers, Wigdor wrote, and that they were "regularly" told to sell only one of each product to Asian customers despite the store's policy that customers could buy up to six of each product. Members of Macy's loss prevention department would "consistently" stare at Asian customers as they bought their products.

No other racial or ethnic groups were subject to similar racial profiling instructions, the firm noted.

When the plaintiffs complained repeatedly to both their union and to their managers, within one week they were [fired](#) "in a blatant act of retaliation against those employees who dared to speak up against such unlawful racial profiling."

Wigdor, an employment litigation firm, was founded by Douglas Wigdor, who's working on the Macy's suit and previously represented high-profile clients, including the hotel maid who accused Dominique Strauss-Kahn of sexual assault. He's currently representing a Goldman Sachs Group Inc. ([GS](#) - [Get Report](#)) staffer accusing the bank of racial discrimination; Charles Oakley, the former NBA player accusing Madison Square Garden Co. ([MSG](#) - [Get Report](#)) of defamation after he was kicked out of a Knicks game; and Rod Wheeler, a former Fox News contributor suing Twenty-First Century Fox Inc. ([FOXA](#) - [Get Report](#)) accusing the network of defamation in its reporting of the death of Seth Rich.

The firm previously sued makeup retailer Sephora of deactivating the loyalty rewards program accounts of Asian customers because they assumed those customers would resell their items abroad.

Wigdor did not respond to requests for comment.