



**U.S. Equal Employment Opportunity Commission**

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## **Press Release**

04-28-2023

# **EEOC Sues Dillard's for Retaliation**

Department Store Chain Cut Hours and Fired a High-Performing, Longtime Employee After Discrimination Complaint, Federal Agency Charges

ATLANTA – Dillard's, Inc., a national department store chain based in Little Rock, Arkansas, violated federal law when it fired a long-tenured, high-achieving employee after she complained of discrimination and asked about a pregnancy accommodation, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC's suit, in February 2020, a longtime African American sales associate in Dillard's Northpoint Store, informed the new store manager about her pregnancy-related accommodation, which had been granted by her previous manager. The new store manager promptly rescinded the accommodation. A few days later, the store manager, without warning or explanation, transferred the sales associate to another department where she would struggle to maintain her sales numbers. In March 2020, the sales associate complained the transfer was discriminatory based on her race and pregnancy. Dillard's did not address the complaint and instead reduced the associate's hours. Because of the COVID-19 pandemic, the sales associate was furloughed in April 2020 along with several other employees. When Dillard's began to recall employees, the sales associate was not asked to return to work. In August 2020, the sales associate was fired and was

replaced with a lower-performing employee.

Such alleged conduct violates the anti-retaliation provision of Title VII of the Civil Rights Act of 1964. The EEOC filed suit (Civil Action No. 1:23-CV-01943 MLB RDC) in the United States District Court for the Northern District of Georgia, Atlanta Division, after first trying to reach a pre-litigation settlement via its conciliation process. The EEOC is seeking back pay, compensatory damages, and punitive damages for the sales associate, as well as injunctive relief to prevent future discrimination.

“A campaign of retaliation by individuals in positions of power and based on the exercise of federally-protected rights is troublesome. The behavior displayed by Dillard’s is unlawful, unacceptable, and intentional,” said Marcus G. Keegan, regional attorney for the EEOC’s Atlanta District Office. “The Commission will seek every possible remedy to make sure it doesn’t happen again.”

“It takes courage to seek the accommodations a woman needs to protect herself and her growing family,” said Darrell Graham, district director of the Atlanta office. “It takes more courage to speak up to her employer when she thinks they have discriminated against her. This courage should be met with understanding and open ears, not retaliation.” Graham said. “The EEOC will never compromise on the promise that employees who exercise their federally-protected rights should not face retaliation.”

More information about retaliation is available at <https://www.eeoc.gov/retaliation>.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at [www.eeoc.gov](http://www.eeoc.gov) (<http://www.eeoc.gov>). Stay connected with the latest EEOC news by subscribing to our [email updates \(https://public.govdelivery.com/accounts/USEEOC/subscriber/new\)](https://public.govdelivery.com/accounts/USEEOC/subscriber/new).