



U.S. Equal Employment Opportunity Commission

Press Release

03-12-2024

Mead Johnson to Make \$15,000 Charitable Donation to Resolve EEOC Disability Lawsuit After Death of Charging Party

Baby Formula Manufacturer Refused to Reasonably Accommodate Employee with Work-Hardening Program or Additional Leave, Federal Agency Charged

GRAND RAPIDS, Mich. – Mead Johnson & Company, a manufacturer of baby formula, will make a \$15,000 donation to the American Cancer Society and provide other relief to settle a disability discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today. The settlement was reached after the employee who the EEOC alleged was denied a reasonable accommodation, Nancy Driesenga, passed away unexpectedly due to reasons unrelated to the claims at issue.

According to the EEOC's lawsuit, after Driesenga underwent major foot and ankle surgery in July of 2020 that was complicated by a post-operative infection, she requested a reasonable accommodation in the form of a six-week, work-hardening program—a doctor-recommended work schedule that would have allowed her to gradually work more hours until she reached full-length shifts. After this request was

denied, she requested an additional 17 days of leave until she could return to work without restrictions. Instead, Mead Johnson gave her position away, forced her onto unpaid leave for five weeks, and then forced her to accept a less desirable position.

Such alleged conduct violates the American with Disabilities Act of 1990 (ADA), which prohibits discrimination based on disability. The EEOC filed suit in the U.S. District Court for the Western District of Michigan (EEOC v. Mead Johnson Nutrition Company, Case No. 1:23-cv-454) on May 3, 2023, after first attempting to reach a pre-litigation settlement through its conciliation process.

Under the terms of the two-year consent decree settling the suit, Mead Johnson will make a \$15,000 donation to the American Cancer Society in Driesenga's name. In addition, Mead Johnson will provide annual training on the ADA to human resources and management employees at its Zeeland, Michigan, facility, and submit annual reports regarding reasonable accommodation requests to the EEOC.

"We appreciate Mead Johnson's willingness to resolve this lawsuit on reasonable terms following Ms. Driesenga's unfortunate passing," said Miles Uhlar, trial attorney for the Detroit Field Office. "Employers should realize that the EEOC will robustly pursue claims for violations of the ADA, even in cases such as this, where the claim for lost wages was limited to a five-week period."

For more information on disability discrimination, please visit <https://www.eeoc.gov/disability-discrimination> (<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eeoc.gov%2Fdisability-discrimination&data=05%7C02%7COMAR.WEAVER%40EEOC.GOV%7C285bc44ded6b4c9eede108dc42083bbd%7C3ba5b9434e564a2f9b91b1f1c37d645b%7C0%7C0%7C638457850341002494%7CUnknown%7CTWFpbGZsb3d8eyJWljojMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C0%7C%7C%7C&sdata=io%2FTzwauYGeaxjK8Wyx%2Bp89VTFy2xsEmwFB771oNBMU%3D&reserved=0>).

The EEOC's Indianapolis District Office has jurisdiction over Michigan, Indiana, Kentucky and parts of Ohio.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at 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)**.

Recent Press Releases from the Detroit Field Office

[Trinity Health-Michigan to Pay \\$50,000 to Settle EEOC Religious Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/trinity-health-michigan-pay-50000-settle-eeoc-religious-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/trinity-health-michigan-pay-50000-settle-eeoc-religious-discrimination-lawsuit)

[EEOC Sues Alternate Solutions Health Network for Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-alternate-solutions-health-network-disability-discrimination\)](https://www.eeoc.gov/newsroom/eeoc-sues-alternate-solutions-health-network-disability-discrimination)

[EEOC Sues the Phoenix Center for Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-phoenix-center-disability-discrimination\)](https://www.eeoc.gov/newsroom/eeoc-sues-phoenix-center-disability-discrimination)

Recent Press Releases on the Subject of Disability

[Charter Communications to Pay \\$60,000 in EEOC Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/charter-communications-pay-60000-eeoc-disability-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/charter-communications-pay-60000-eeoc-disability-discrimination-lawsuit)

[Walmart Agrees to Pay \\$70,000 and Offer Job to Employee in EEOC Disability Discrimination Suit \(https://www.eeoc.gov/newsroom/walmart-agrees-pay-70000-and-offer-job-employee-eeoc-disability-discrimination-suit\)](https://www.eeoc.gov/newsroom/walmart-agrees-pay-70000-and-offer-job-employee-eeoc-disability-discrimination-suit)

[Walmart Acuerda Pagar \\$70,000 y Ofrece Trabajo a Empleado en una Demanda por Discriminación por Discapacidad de la EEOC \(https://www.eeoc.gov/es/newsroom/walmart-acuerda-pagar-70000-y-ofrece-trabajo-empleado-en-una-demanda-por-discriminacion\)](https://www.eeoc.gov/es/newsroom/walmart-acuerda-pagar-70000-y-ofrece-trabajo-empleado-en-una-demanda-por-discriminacion)