



Press Release

06-14-2023

Sanderson Farms to Pay \$62,384 to Settle EEOC Lawsuit for Disability Discrimination

Settles Federal Charges Employer Refused to Provide Accommodation to Employee With Cluster Headache and Migraine Condition and Instead Fired Him

BIRMINGHAM, Ala. – Sanderson Farms, LLC and Sanderson Farms, LLC (Processing Division), divisions of the nation’s third-largest producer of chicken products, have agreed to pay \$62,384 and furnish significant equitable relief to settle a disability discrimination lawsuit brought by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

In its suit, the EEOC charged that the companies fired a long-term disabled employee at their processing plant in Summit, Mississippi after he sought a reasonable accommodation necessitated by his severe cluster headache and migraine condition. The agency charged that the companies refused to discuss the employee’s request for accommodation, sent him home to await further discipline, and ultimately fired him because of his disability and in retaliation for seeking the accommodation.

Such alleged conduct violates the Americans with Disabilities Act (ADA), which prohibits discrimination against individuals with a disability, requires employers to provide a reasonable accommodation for a disability, so long as it does not cause an

undue hardship, and prohibits retaliation against an employee who seeks a reasonable accommodation.

The EEOC filed its lawsuit (EEOC v. Sanderson Farms, LLC and Sanderson Farms, LLC (Processing Division), Case No. 5:21-cv-00084-KS-BWR) in U.S. District Court for the Southern District of Mississippi after first attempting to reach a pre-litigation settlement through its conciliation process.

In addition to monetary relief, the two-year consent decree settling the suit prohibits Sanderson Farms from discriminating based on disability in the future and requires the companies to revise their ADA policy against employment discrimination. The companies will also be required to provide training on the ADA to employees at the Summit facility and to post their revised ADA policy in English and Spanish in the facility's break rooms. The EEOC will monitor the companies' compliance for the decree's duration.

“The ADA recognizes that individuals with disabilities are able to perform jobs and make important contributions to our society and our economy,” said EEOC Birmingham district director Bradley Anderson. “It is unlawful under the ADA for an employer to fire an employee because of his disability or because he seeks a reasonable accommodation. The EEOC is committed to ensuring that employers don't deprive people with disabilities the ability to earn a living.”

Marsha Rucker, regional attorney for the EEOC's Birmingham District, said, “Protecting workers' right to seek accommodation for a disability without fear of retaliation is a central component of the EEOC's mission. This case serves as a reminder that the EEOC stands ready to hold employers accountable for violations of the ADA.”

Sanderson Farms, LLC and Sanderson Farms, LLC (Processing Division) are divisions of Wayne-Sanderson Farms, a company headquartered in Oakwood, Georgia that employs more than 26,000 workers and operates 23 poultry processing and prepared food plants across Alabama, Arkansas, Georgia, Louisiana, Mississippi, North Carolina and Texas.

The EEOC's Birmingham District consists of Alabama, Mississippi (except 17 northern counties) and the Florida Panhandle.

For more information on disability discrimination, please visit

<https://www.eeoc.gov/disability-discrimination>
(<https://www.eeoc.gov/disability-discrimination>). For more information on
retaliation, please visit **<https://www.eeoc.gov/retaliation>**
(<https://www.eeoc.gov/retaliation>).

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