



U.S. Equal Employment Opportunity Commission

Press Release

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J&M Industries Sued by EEOC for Age Discrimination

Distribution Company Fired Employee Because She Turned 65, Federal Agency Charges

NEW ORLEANS – J&M Industries, Inc., a manufacturing and distribution company based in Ponchatoula, Louisiana, violated federal law when it fired an employee because of her age after she refused to retire when she turned 65 years old, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC’s lawsuit, a company manager asked an employee repeatedly about retirement as she approached her 65th birthday, including directly asking her, “When are you going to retire,” “Why don’t you retire at 65,” and “What is the reason you are not retiring?” After telling the company she had no plans to retire, the company informed the employee her position of purchasing agent was being eliminated due to economic uncertainty. Less than a month after firing the employee, the company hired a man in his thirties as a new purchasing agent, the same position the company claimed to have eliminated.

Such alleged conduct violates the Age Discrimination in Employment Act (ADEA), which prohibits discrimination against individuals forty or older because of age. The EEOC filed suit in U.S. District Court for the Eastern District of Louisiana (Civil Action No. 2:23-cv-01100) after first attempting to reach a pre-litigation settlement through

its conciliation process.

“An employer cannot fire someone because of age and cannot pressure an employee to retire simply because she turns 65,” said Rudy Sustaita, regional attorney for the EEOC’s Houston District Office.

Peter Theis, a trial attorney for the EEOC New Orleans Field Office, said “harmful and misplaced stereotypes about age do not belong in the workplace, and employers that discriminate against older workers violate the law.”

Michael Kirkland, director of the EEOC’s New Orleans Field Office, said “Age discrimination is based on false stereotypes and hurts everyone involved. Older workers can contribute greatly to employers and the economy.”

More information about disability discrimination is available at

<https://www.eeoc.gov/eeoc-disability-related-resources>

<https://www.eeoc.gov/eeoc-disability-related-resources>. The EEOC’s New Orleans Field Office, which is part of its Houston District Office, which covers Louisiana and parts of Texas.

The EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. More information is available at

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