



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues PepsiCo for Failing to Accommodate and Firing a Blind Employee

Federal Agency Charges Beverage Company Refused to Update Software or Offer an Alternative Accommodation

GREENSBORO, N.C. – PepsiCo Beverage Sales, LLC violated federal law when it failed to provide a reasonable accommodation to and fired a blind employee in its North Carolina call center, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the EEOC's lawsuit, PepsiCo hired a blind employee as a customer care advocate for its Winston-Salem call center. The employee notified PepsiCo that he was blind and requested a reasonable accommodation for his visual impairment that would allow him to access information in the call center computers to perform his job. A vocational counselor from the North Carolina Department of Health and Human Services (NCDHHS) offered to conduct an assistive technology assessment of PepsiCo's computer system and offered assistance with purchasing supportive equipment for the employee.

According to the EEOC, this assistance was rebuffed by PepsiCo, which represented to NCDHHS that the accommodations had to be handled internally. The employee was placed on unpaid leave while PepsiCo reviewed the accommodation request.

PepsiCo claimed it did not have other jobs that were suitable for the employee and fired him. PepsiCo failed to consider or offer other accommodations to assist the employee in performing the essential functions of the job, the EEOC said.

Such alleged conduct violates the ADA, which protects employees and jobseekers from disability discrimination. The EEOC filed suit (EEOC v. PepsiCo Beverage Sales, LLC d/b/a PepsiCo Beverage Company Case No. 1:24-cv-00456) in U.S. District Court for the Middle District of North Carolina after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

“Applicants for employment and new employees are particularly vulnerable when it comes to disability discrimination,” said Melinda C. Dugas, regional attorney for the EEOC’s Charlotte office. “At that stage, the employee often does not yet have enough information about the employer’s operations to recognize and assess potential reasonable accommodations. It is incumbent upon the employer to share information and to work with an employee or the employee’s advocate to identify possible accommodations.”

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

The EEOC’s Charlotte District Office has jurisdiction over North Carolina, Virginia and South Carolina.

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>).

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