



U.S. Equal Employment Opportunity Commission

Press Release

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EEOC Sues Smithfield Foods for Age Discrimination

Federal Agency Charges Food Processing Company Fired Employee Because of Age

ATLANTA – Smithfield Foods, Inc. and Smithfield Fresh Meats Sales Corporation (together, “Smithfield Foods”), which operate a food processing business that specializes in pork production, violated federal law when they fired a senior sales employee because of her age, the U.S. Equal Employment Opportunity Commission (EEOC) charged in a lawsuit filed today.

According to the lawsuit, the employee worked for Smithfield Foods for over 10 years before she was fired at the age of 59. Smithfield Foods claims it terminated the employee as part of a reduction-in-force of its sales staff. As part of the reduction, five out of six terminated employees were 55 years or older, while 14 out of 18 employees who were considered for, but ultimately spared from termination, were under the age of 55.

Despite initially telling the employee that her termination was pursuant to the reduction-in-force, Smithfield Foods later claimed to have discharged her because of her alleged refusal to relocate to the company’s Smithfield, Virginia headquarters. However, the employee previously agreed to such a relocation request, which had been withdrawn by Smithfield Foods. The employee then continued to work for Smithfield Foods from her home in the Atlanta area for approximately 15 months before her sudden firing.

Such alleged conduct violated the Age Discrimination in Employment Act (ADEA), which prohibits age discrimination against individuals 40 and older. The EEOC filed suit (EEOC v. Smithfield Foods, Inc. and Smithfield Fresh Meats Sales Corporation, Case No. 1:24-CV-02158-TWT-CMS) in U.S. District Court for the Northern District of Georgia after first attempting to reach a pre-litigation settlement through its administrative conciliation process.

“The ADEA clearly prohibits the termination of employees 40 and older because of their age,” said Marcus G. Keegan, Regional Attorney for the EEOC’s Atlanta District Office. “Smithfield Foods violated that law when it discharged this employee as part of a reduction-in-force that disproportionately affected workers 55 and older. The company’s flimsy excuse for the termination because of the transfer makes clear the real reason: age discrimination.”

Darrell Graham, district director of the EEOC’s Atlanta office, said, “The age of employees should play no role in their employer’s decisions about their employment. The EEOC is committed to enforcing the ADEA to protect the rights of aggrieved employees.”

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

The EEOC’s Atlanta District Office has jurisdiction over Georgia and the Counties of Allendale, Bamberg, Barnwell, Beaufort, Berkeley, Charleston, Colleton, Dorchester, Georgetown, Hampton, Jasper, and Williamsburg in 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>).

Recent Press Releases from the Atlanta District Office

[EEOC Sues Reliable Maintenance Solutions for Disability Discrimination](https://www.eeoc.gov/newsroom/eeoc-sues-reliable-maintenance-solutions-disability-discrimination)
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[EEOC Sues Lubin Logistics for Disability Discrimination \(https://www.eeoc.gov/newsroom/eeoc-sues-lubin-logistics-disability-discrimination\)](https://www.eeoc.gov/newsroom/eeoc-sues-lubin-logistics-disability-discrimination)

[Covenant Woods to Pay \\$78,000 in EEOC Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit)

Recent Press Releases on the Subject of Age, Disability

[Maximum Security to Pay \\$22,500 to Settle EEOC Age and Disability Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/maximum-security-pay-22500-settle-eeoc-age-and-disability-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/maximum-security-pay-22500-settle-eeoc-age-and-disability-discrimination-lawsuit)

[Covenant Woods to Pay \\$78,000 in EEOC Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/covenant-woods-pay-78000-eeoc-discrimination-lawsuit)

[Urbana School District No. 116 to Pay \\$206,301 in EEOC Age Discrimination Lawsuit \(https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit\)](https://www.eeoc.gov/newsroom/urbana-school-district-no-116-pay-206301-eeoc-age-discrimination-lawsuit)