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Walmart to Pay \$60,000 to Settle EEOC Sex Discrimination Lawsuit

Lawsuit Charged Unlawful Sex Stereotyping of Woman With Young Children

DES MOINES, Iowa – Walmart will pay \$60,000 and provide other relief to settle a sex discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

The EEOC charged in its suit that Walmart refused to promote an employee to a department manager position at its Ottumwa, Iowa store based on sex stereotypes about women with young children. According to evidence presented by the EEOC, when the employee asked why she was passed over for the promotion, a store official noted that she had young children at home and that store management assumed she was not interested in advancing her career at Walmart long-term. Walmart instead promoted a woman who did not have any children.

This alleged conduct violated Title VII of the Civil Rights Act of 1964, which prohibits sex discrimination. This prohibition on sex discrimination includes discrimination against an employee because of sex-based stereotypes, such as the stereotype that mothers are unreliable or uncommitted employees. The EEOC filed suit (Civil Action No. 4:22-cv-00037-SMR-SBJ) in U.S. District Court for the Southern District of Iowa, Central Division, after first attempting to reach a pre-litigation settlement via its conciliation process.

The settlement follows an earlier ruling by the court rejecting Walmart's motion to end the case without a trial. In its rejection of the company's motion, the district court quoted a U.S. Supreme Court case that the "'pervasive presumption that women are mothers first, and workers second' is among the sex stereotypes Congress has explicitly identified as impermissible." The district court found that there was evidence that Walmart's promotion decision was based on sex stereotypes and that a jury trial was warranted. That trial had been set to begin on Jan. 8 in Des Moines.

Under the consent decree resolving the lawsuit, Walmart will pay \$60,000 in compensation to the now-former employee. Walmart will also provide training to relevant management employees on federal laws prohibiting sex

discrimination and will report any additional complaints of sex discrimination in promotions to the EEOC for the decree's duration.

“Discriminating against a woman because of stereotypes about working mothers is sex discrimination, plain and simple,” said Gregory Gochanour, the regional attorney for the EEOC’s Chicago District Office. “Women with children deserve the opportunity to be judged fairly in the workplace based on their qualifications and abilities, not on assumptions about their commitment to their careers. The EEOC is pleased that the employee in this case has received a measure of justice for the opportunity that she was wrongfully denied.”

For more information on sex-based discrimination, please visit <https://www.eeoc.gov/sex-based-discrimination>.

The EEOC’s Chicago District Office is responsible for processing charges of discrimination, administrative enforcement and the conduct of agency litigation in Illinois, Wisconsin, Minnesota, Iowa and North and South Dakota, with Area Offices in Milwaukee and Minneapolis.

The EEOC prevents and remedies unlawful employment discrimination and advances equal opportunity for all. More information is available at www.eeoc.gov. Stay connected with the latest EEOC news by subscribing to our [email updates](#).

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