

## 10.2: Case Study: Frito-Lay Settles EEOC Religious Discrimination Lawsuit

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### Agreement Requires PepsiCo Regional Staff—Not Local Managers—to Review All Reasonable Accommodations Requests in Florida

WEST PALM BEACH, Fla. – Frito-Lay, Inc., a Plano, Texas-based subsidiary of PepsiCo that manufactures and distributes snack foods, has agreed to pay \$50,000 to settle a religious discrimination lawsuit filed by the U.S. Equal Employment Opportunity Commission (EEOC), the federal agency announced today.

According to EEOC's lawsuit, Frito-Lay violated federal law when it fired a newly promoted route sales representative in the West Palm Beach area because he could not train for the position on Saturdays due to his religious beliefs. The employee completed approximately five weeks of training without having to train on Saturdays. However, despite learning he could not work on Saturdays because of his Seventh-day Adventist religious beliefs, Frito-Lay scheduled him to train on Saturdays and terminated him after he failed to report to training on two consecutive Saturdays.

Title VII of the Civil Rights Act of 1964 prohibits discrimination based on religion and requires employers to reasonably accommodate an applicant's or employee's sincerely-held religious beliefs unless it would pose an undue hardship. The EEOC filed its lawsuit in U.S. District Court for the Southern District of Florida, West Palm Beach Division (EEOC v. Frito-Lay, Inc., Civil Action No. 9:20-cv-81689), after first attempting to reach a pre-litigation settlement through its conciliation process.

The three-year consent decree resolving the EEOC's lawsuit has been approved by the federal court. In addition to paying \$50,000 in monetary relief, Frito-Lay will provide specialized training on reasonable accommodation processes to human resources personnel, managers, and employees; require all accommodation requests to be reviewed and decided by PepsiCo regional staff with specialized knowledge of Title VII; and report requests to accommodate an employee's or prospective employee's religious observance or practice and the resolution of these requests to EEOC.

"We commend Frito-Lay for working collaboratively with EEOC to resolve this lawsuit," said EEOC Regional Attorney Robert Weisberg. "The company's eagerness to confer with EEOC about the agency's concerns from the lawsuit's inception and its agreement to provide enhanced training about reasonable accommodation requests will benefit its workers and the company."

Bradley A. Anderson, acting district director for the Miami District Office, added, "The failure to accommodate religious practices remains a persistent problem in the workplace. Frito-Lay has demonstrated its commitment to the Civil Rights Act by taking strong, affirmative measures and making real changes to its religious accommodation process to ensure equal opportunity for people of all religious backgrounds."

EEOC advances opportunity in the workplace by enforcing federal laws prohibiting employment discrimination. The Miami District Office's jurisdiction includes Florida, Puerto Rico, and U.S. Virgin Islands. Further information is available at [www.eeoc.gov](http://www.eeoc.gov).

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