

- **EEOC v. Maytag Corp.**

No. 04 C 4617 (N.D. Ill. Dec. 2, 2005)

The Chicago District Office alleged in this ADEA action that defendant, a manufacturer of household appliances based in Newton, Iowa, demoted charging party and similarly-situated regional sales managers (RSMs) over age 50 during a 1999 national restructuring/reorganization and denied them reinstatement, based on age during a further reorganization in 2001. In the original 1999 reorganization, Maytag reduced the number of RSMs nationwide, downgrading a disproportionate number of individuals in the protected age group into zone operations manager (ZOM) positions. In 2000, defendant eliminated the ZOM positions and again downgraded some of the same individuals. Charging party, who had been a successful RSM, was demoted to ZOM in 1999, and then to District Manager in 2000. Defendant had hired him as a District Manager 30 years earlier. In a further reorganization in 2001, defendant created new RSM positions and promoted disproportionately few employees over age 50 into the new positions. Defendant did not interview charging party for any of the newly-created RSM positions. As a result of the reorganizations, the percentage of individuals above age 50 in Maytag's RSM ranks nationally plummeted from 41% (9 out of 22) in 1999 to 12% (2 out of 17) in 2001.

The 2-year consent decree provides charging party and two other claimants with \$334,000 in monetary relief. Maytag is enjoined from discriminating based on age and is prohibited from engaging in retaliation under the ADEA. Defendant is required to train all of the managers and supervisors in its sales division annually regarding the ADEA's requirements. Defendant's VP for HR must meet with the District Director, Chicago District Office, within 90 days of the entry of the decree to discuss Maytag's compliance with U.S. EEO laws.