

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN MICHIGAN**

JESSICA TIEDE,

Plaintiff,

Case No.

v.

Hon.

DUPONT, INC.
a foreign corporation,

Defendant.

Batey Law Firm, PLLC
SCOTT P. BATEY (P54711)
Attorney for Plaintiff
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PLAINTIFF'S COMPLAINT AND JURY DEMAND

NOW COMES, Plaintiff, Jessica Tiede (hereinafter "Thomas"), by and through her attorney Scott P. Batey and the Batey Law Firm, PLLC, and for her First Amended Complaint against Defendant states as follows:

1. Plaintiff, Jessica Tiede, is a resident of the Village of Sanford, County of Midland and State of Michigan. Plaintiff suffers from tremors which is a disability as it substantially interferes with major life activities.

2. Defendant, DuPont, Inc. (hereinafter “DuPont”) is a foreign corporation whose principal place of business is located at 1501 Larkin Center Dr., Midland, Michigan and who is duly authorized to do business in State of Michigan.

3. Jurisdiction and venue are proper in the District Court for the Western District of Michigan pursuant to 28 U.S.C. § 1391(b) & (c).

4. This Honorable Court has jurisdiction under 28 USC § 1331 and pendant jurisdiction over Plaintiff’s state law claims under 28 USC § 1367 and is otherwise within the Jurisdiction of this Court.

5. The amount in controversy exceeds \$75,000.00, exclusive of interest and costs, and jurisdiction and venue is otherwise proper in this Court.

6. The Plaintiff brings this action for damages arising out of the acts and/or omissions of Defendant constituting unlawful discrimination and/or harassment due to Plaintiff’s disability, in violation of the American with Disabilities Act of 1990 (“ADA”) and the Michigan Persons with Disabilities Act, MCLA §37.1101, *et seq.*, (“PWDCRA”) which resulted in mental, emotional, physical, and economic damages to Plaintiff.

GENERAL ALLEGATIONS

7. Plaintiff incorporates by reference paragraphs 1 through 6 of the Complaint as though fully set forth herein.

8. Plaintiff began her employment with Defendant in 2020 and was most recently employed as a Contact Center Specialist.

9. Plaintiff suffers from ADHD, anxiety and depression which substantially interfere with major life activities like thinking, reasoning, hearing/listening, talking, communicating and sleeping and are disabilities under the ADA and PWDCRA.

10. In January 2024 Plaintiff requested an reasonable accommodation of working from home four days a week which was denied twice before being approved in late May/early June.

11. Defendant's stated reason for denying the accommodation twice was that Plaintiff doctor did not support the requested accommodation, but that was not true.

12. Defendant played a game of hide the ball with Plaintiff fabricating the basis for the denials in effort to negate or delay the accommodation.

13. Nothing was ever good enough for Defendant as their real objective was to put Plaintiff in a position where her accommodations could never be approved.

14. After re-submitting the request two more times Plaintiff finally was granted the accommodation, but then Defendant began harassing her and discriminating against her for being disabled and having the accommodation.

15. Plaintiff was denied training, barred from meetings and her yearly review was negatively impacted due to her accommodation.

16. Plaintiff has been subjected to a hostile and offensive work environment due to her disability as well as adverse employment actions due to her disability and accommodation. During the time period in question, Defendant was Plaintiff's employer and Plaintiff was its employee within the meaning of the ADA and PWDCRA.

17. Moreover, Defendant was responsible for all acts committed by its agents, representatives and employees within the scope of their employment.

18. At all times relevant, Plaintiff was acting as an employee of Defendant, GM and performed in job duties in an exemplar manner.

19. Defendant, through their agents, representatives and employees, were predisposed to harass and discriminate against Plaintiff on the basis of her gender and acted in accordance with that predisposition.

20. Defendant's actions were intentional, or were carried out with reckless indifference to Plaintiff's rights and sensibilities.

21. On or about July 7, 2025 Plaintiff filed a Charge of Discrimination with the EEOC Charge Number 471-205-02593.

22. On or about January 15, 2026, the EEOC issued a Right to Sue letter to Plaintiff.

COUNT I
AMERICANS WITH DISABILITY ACT OF 1990

23. Plaintiff incorporates by reference paragraphs 1 through 22 of the Complaint as though fully set forth herein.

24. At all times relevant, Plaintiff suffers from ADHD, anxiety and depression which substantially interfere with major life activities like thinking, reasoning, hearing/listening, talking, communicating and sleeping and are disabilities under the ADA and which caused Defendant to regard and perceive Plaintiff as disabled and which substantially interferes with major life activities.

25. Pursuant to the ADA, Plaintiff is guaranteed the right to be free from harassment, discriminatory treatment and/or denied employment by a perspective employer based upon her disability or perceived disability.

26. Plaintiff's disability was a factor in employment decisions, including being placed on leave without any rational reason by Defendant DuPont or path for returning to work.

27. Defendant was Plaintiff's employer and an employer within the meaning of the ADA.

28. Plaintiff has been subjected to discriminatory and retaliatory treatment based upon her disability, her perceived or regarded disability, and her request for accommodations, by Defendant, its employees and agents to the point where she was subjected to a hostile and offensive work environment.

29. Defendant's conduct was done with malice and willful disregard to Plaintiff's rights and Plaintiff is entitled to exemplary, compensatory and punitive damages pursuant to the ADA as a result of each and every violation of the act, including costs and reasonable attorney's fees.

30. Defendant and its agents, employees and representatives, breached and violated their duty to Plaintiff by reason of the following acts and/or omissions:

- a. Violating the laws against discrimination by unilaterally declaring Plaintiff's disability a safety concern despite Plaintiff's ability to perform the essential duties of her job in an exemplar manner;
- b. Violating the laws against discrimination by failing to provide Plaintiff with a reasonable accommodation for her disability; and
- c. Violating the laws against discrimination by creating an offensive and hostile work environment due to her disability.

31. Defendant and its agents breached and violated their duties owed to Plaintiff, by reason of the following acts and/or omissions:

- a. Failing to screen and place in supervisory positions, persons who would be capable of being competent and law-abiding supervisors, and with particular reference to enforcing laws against discrimination in the workplace;
- b. Giving supervisory authority to persons who were known to have propensities as would make them unfit to serve in the capacity of supervisor over disabled employees;
- c. Failing to properly educate and train its employees and supervisors, particularly with reference to the unlawfulness of discrimination in the workplace; and

- d. Failing to properly warn or advise its agents, employees and supervising personnel to refrain from discriminating against employees.
- e. Refusing to hire Plaintiff based upon and/or due to her disability or her perceived disability.

32. As a direct and proximate result of the actions of Defendant, Plaintiff was the subject of discriminatory conduct on the part of Defendant and its agents and employees.

33. Because of the unlawful conduct of Defendant, its agents and employees, and as a direct and proximate cause of such conduct, Plaintiff has suffered damages including embarrassment, outrage, mental anguish and anxiety, emotional distress, loss of self-esteem, loss of earnings and other employment benefits.

34. Defendant's discriminatory conduct was intentional, malicious and/or recklessly indifference to Plaintiff's rights and sensibilities and Plaintiff is entitled to punitive damages.

WHEREFORE, Plaintiff respectfully requests judgment in her favor and against Defendants in an amount in excess of \$75,000.00, plus punitive/exemplary damages, together with costs, interest, attorney fees and any other relief this Honorable Court deems appropriate.

COUNT II
VIOLATIONS OF THE MICHIGAN PERSONS
WITH DISABILITY ACT, MCLA §37.1101, ET SEQ.

35. Plaintiff incorporates by reference Paragraphs 1 through 34 above as though more fully set forth herein.

36. Plaintiff suffers from ADHD, anxiety and depression which is are disabilities under the Michigan Persons with Disability Civil Rights Act MCLA §37.1101, *et seq.* (PWDCRA) and which caused him to be perceived and regarded as disabled by Defendant.

37. Plaintiff was subjected to an offensive and hostile work environment due to her disability and/or being perceived and regarded as disabled by Defendant,

38. Pursuant to the Michigan Persons with Disability Civil Rights Act MCLA §37.1101, *et seq.*, Plaintiff is guaranteed the right to be free from harassment, discriminatory treatment and/or denied employment by an employer due to her disabilities.

39. Plaintiff's disabilities were factors in Defendant's employment decisions, including, but not limited to refusing to accommodate her.

40. Defendant was an employer within the meaning of the PWDCRA.

41. Plaintiff has been subjected to discriminatory treatment based upon her disability by Defendants, its employees and agents to the point where he was denied employment by Defendant due to her disability.

42. Plaintiff is entitled to exemplary and compensatory damages pursuant to the PWDCRA as a result of each and every violation of the act, including costs and reasonable attorney's fees.

43. Defendant and its agents, employees and representatives violated the PWDCRA by reason of the following acts and/or omissions:

- a. Violating the laws against discrimination by declaring Plaintiff's disability a safety concern despite her ability to perform the essential functions of her job in a safe manner;
- b. Preventing Plaintiff from having full and fair opportunities to her employment based upon her disability.
- c. Subjecting Plaintiff to an offensive and hostile work environment due to her disabilities.

44. Defendant owed Plaintiff as a disabled employee, a duty to adequately advise their employees to refrain from harassing and/or discriminating against him due to her disability, but Defendant breached that duty and refused/failed to take remedial measures.

45. As a direct and proximate result of Defendants' discrimination of Plaintiff on the basis that she had a disability or was perceived by Defendant to be a person with a disability Plaintiff has sustained injuries including, but not limited to:

- a. Economic damages;
- b. Mental anguish;
- c. Embarrassment;

- d. Anxiety;
- e. Emotional distress;
- f. Loss of self-esteem.

WHEREFORE, Plaintiff respectfully requests judgment in her favor and against Defendants in an amount in excess of \$75,000.00, plus exemplary and compensatory damages, together with costs, interest and attorney fees and any other relief this Honorable Court deems appropriate.

COUNT III
RETALIATION

46. Plaintiff incorporates by reference paragraphs 1 through 45 of the Complaint as though fully set forth herein.

47. Pursuant to the ADA and PWDCRA Plaintiff has the right to go to work and be reasonably accommodated for any disability for which he can complete the essential functions of his job with or without reasonable accommodations.

48. Plaintiff is not only guaranteed the right to be free from discrimination from his employer and/or supervisors based a disability but the right to complain to Defendant about any discriminatory conduct in violation of, the ADA and PWDCRA, including the refusal to provide Plaintiff reasonable accommodations.

49. Plaintiff engaged in a protected act by complaining about being denied reasonable accommodations in violation of the ADA and PWDCRA.

50. Defendant was Plaintiff's employers within the meaning of the ADA and PWDCRA. During the course of his employment with Defendant, Plaintiff was subjected to unwelcome comments and conduct based on sex and sexual orientation which created a hostile work environment.

51. Defendant had actual and constructive notice that it was creating an intimidating, hostile and offensive work environment for Plaintiff.

52. Despite having notice of the comment and conduct regarding sex and sexual orientation, Defendants failed to take any remedial action but instead took adverse employment action against Plaintiff in retaliation for her engaging in a protected activity.

53. Defendant began harassing Plaintiff and intimidating Plaintiff for her complaints of violation of the ADA and PWDCRA.

54. Defendant's retaliation and intimidation was designed to a reasonable person, in this case Plaintiff from making a complaint.

55. The discrimination, harassment and conduct by Defendant and Defendant's failure to take any remedial action violate the ADA and PWDCRA. Defendant's conduct toward Plaintiff was made with malice and reckless indifference to Plaintiff's rights and Plaintiff is entitled to punitive, exemplary and compensatory damages pursuant to the ADA and PWDCRA as a result of each and every violation of the act, including costs and reasonable attorneys' fees.

56. As a proximate result of the Defendants' retaliation of Plaintiff, Plaintiff has sustained injuries including, but not limited to, physical pain and suffering, mental anguish, fright, shock, embarrassment, humiliation, mortification, outrage, anxiety, emotional distress, loss of self-esteem, loss of earnings and other employment benefits and a loss of capacity for the enjoyment of life.

WHEREFORE, Plaintiff respectfully requests judgement in her favor and against Defendant in an amount in excess of \$75,000.00, together with costs, interest and attorney fees and any other relief this Honorable Court deems appropriate and just.

Respectfully submitted,

BATEY LAW FIRM, PLLC

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Dated: February 27, 2026

DEMAND FOR JURY TRIAL

NOW COMES, Plaintiff, Jessica Tiede, by and through her attorney's, Scott P. Batey and the Batey Law Firm, PLLC, and hereby demands a trial by jury on all issues allowed by law.

Respectfully submitted,

BATEY LAW FIRM, PLLC

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Dated: February 27, 2026