

**BLOGS**

Employment

Virginia Federal Court Dismisses Franchise Employee's Discrimination Claims Against McDonald's

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A federal court in Virginia recently granted McDonald's USA, LLC's motion to dismiss a former franchise employee's Title VII and Virginia Human Rights Act claims. *Edmonds v. McDonald's USA, LLC*, 2025 WL 1066193 (W.D. Va. Apr. 9, 2025).

Edmonds was an employee at a franchisee-owned McDonald's restaurant in Virginia. She alleged that customers routinely used racial slurs to address her and other Black employees, that the restaurant's managers subjected Black employees to disparate treatment, and that she was fired for refusing to remove her Black Lives Matter face mask. Edmonds sought to hold McDonald's USA liable for discrimination under joint employer and agency theories. McDonald's USA moved to dismiss all claims against it.

The court granted McDonald's USA's motion. The court found that Edmonds failed to plead McDonald's USA's direct control over her employment. Edmonds alleged McDonald's USA was her joint employer because of McDonald's USA's operational policies and brand-wide standards, general oversight, mandatory computer systems, Edmonds' McDonald's uniform, and the sale of McDonald's branded products. The court found that these were merely elements of a standard franchisor-franchisee relationship and did not establish a joint employment relationship. For the same reasons, the court also concluded that Edmonds could not establish an actual agency relationship between McDonald's USA and its franchisee. Regarding apparent agency, Edmonds failed to identify any representations made by McDonald's USA that could have led her to reasonably believe that the franchisee was an agent for McDonald's USA and that McDonald's USA ratified the alleged discrimination and harassment occurring at the restaurant. Accordingly, the court held that McDonald's USA could not be held liable for conduct that the franchisee had the means to prevent or correct simply because Edmonds erroneously believed that McDonald's controlled her workplace conditions.

Related People

David (Dave) J. Katalinas

Partner

Denver

720.931.3213

dave.katalinas@lathropgpm.com**Cassie Doult**

Associate

Los Angeles

310.789.4630

cassie.doult@lathropgpm.com

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