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**Jury Awards \$5.1 Million to American BMW Employee for National Origin Discrimination**

[In recent blogs](#), we discussed the EEOC's focus on claims of national origin discrimination against Americans. Though the EEOC was not involved in this particular suit, on February 25, 2026, a South Carolina jury delivered a harsh verdict against BMW in favor of an American employee who claimed she'd been discriminated against due to her nationality. According to the Plaintiff, BMW had a policy that required that the nationality of certain senior management positions within a department should alternate hierarchically between American and German employees. For employee Kelly Dawsey's Human Resources group in South Carolina, this meant that if the Vice President was American, the top Department Manager had to be German, and vice versa. Dawsey worked for BMW for 27 years, ascending to the role of Manager for HR Planning and Steering, the highest Department Manager position in her group. When her boss, the VP of HR and a German national left, he was replaced by an American. That led to a planned reorganization where Dawsey would be transferred to another Department Manager role in the department, but one that did not require HR experience and one which had a lower classification in BMW's internal "function level" rankings.

Dawsey left BMW before her transfer occurred and claimed that she was discriminated against because she was American. The jury awarded Dawsey \$100,000 in compensatory damages and \$5 million in punitive damages, which will be reduced due to statutory caps in damages for Title VII cases. A representative for BMW stated: "We were surprised and disappointed by the outcome. While we disagree, we respect the jury's decision. We are currently evaluating potential post-trial and appellate options."

If you have any questions or would like additional information, please contact Richard Lehr at (205) 323-9260 or [rlehr@lmvtlaw.com](mailto:rlehr@lmvtlaw.com).