

UNITED STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

Watson v. Potter

351 F. App'x 103 (7th Cir. 2009) · Decided November 4, 2009

SUMMARY

The Seventh Circuit affirmed summary judgment for the United States Postal Service in Cecil Watson’s Title VII claims alleging race discrimination and retaliation. The court held that several challenged actions were not materially adverse, while Watson could not establish that he met the Postal Service’s legitimate performance expectations or show a causal connection between protected activity and retaliation. The court concluded that the Postal Service had legitimate grounds for relieving Watson of his managerial duties and terminating him.

CASE DETAILS

COURT	United States Court of Appeals for the Seventh Circuit
WRITING FOR THE COURT	Flaum; Posner; Ripple
JURISDICTION	Federal
DECIDED	November 4, 2009
DISPOSITION	affirmed
PROCEDURAL POSTURE	Watson appealed the district court's grant of summary judgment to the United States Postal Service on his Title VII race-discrimination and retaliation claims.
STANDARD OF REVIEW	De novo review of the grant of summary judgment.
PRECEDENTIAL VALUE	Unpublished, nonprecedential Seventh Circuit decision
PARTIES	Cecil Watson v. John E. Potter, United States Postal Service

TOPICS

- employment discrimination
- title vii
- racial discrimination
- retaliation
- appellate procedure

PRACTICE AREAS

- employment law
- employment discrimination
- federal employment law
- civil rights

QUESTIONS PRESENTED

1. Whether Watson established a prima facie case of race discrimination under Title VII under the indirect burden-shifting method.
2. Whether the warning letters, poor performance evaluation, denial of leave, and erroneous AWOL designation constituted materially adverse employment actions.
3. Whether Watson established that he met the Postal Service's legitimate performance expectations with respect to his removal from management and termination.
4. Whether Watson established a causal connection between protected EEO activity and the adverse employment actions under the direct or indirect methods of proving retaliation.

HOLDINGS

1. Those four actions were not materially adverse employment actions because they did not objectively create a hardship or significantly and negatively alter Watson's working conditions.
2. Watson failed to establish a prima facie case of race discrimination because, although his removal from managerial duties and termination were materially adverse actions, he did not show that he met the Postal Service's legitimate performance expectations.
3. Watson failed to establish retaliation under the direct method because he could not show a causal connection between protected EEO activity and any adverse employment action.
4. Watson's retaliation claim also failed under the indirect method because some challenged actions were not materially adverse and Watson did not perform his job satisfactorily.

KEY QUOTATIONS

“inappropriate workplace activities are not legitimized by an earlier-filed complaint of discrimination” (106)

FACTUAL BACKGROUND

Cecil Watson, who is African-American, worked for the United States Postal Service for 22 years and became manager of the Hoffman Estates branch in 2002. After Kenneth Michalowski became the Schaumburg postmaster, Watson received several warning letters, a poor performance evaluation, and was removed from his managerial position after instructing an employee to handle and test suspicious powder contrary to Postal Service policy. Watson subsequently reported to work only four times, and the Postal Service terminated him in June 2006. Watson alleged that these actions constituted race discrimination and retaliation.

PROCEDURAL HISTORY

Watson, a former Postal Service manager, sued under Title VII alleging that disciplinary actions, removal from managerial duties, denial of leave, and termination were motivated by race discrimination and retaliation. The district court granted summary judgment to the Postal Service, concluding that some challenged actions were not materially adverse and that Watson lacked evidence of improper motive. The Seventh Circuit reviewed the judgment de novo and affirmed.

DISPOSITION

affirmed

CASES CITED

- McDonnell Douglas Corp. v. Green, 411 U.S. 792, 802-04 (1973)
- Winsley v. Cook County, 563 F.3d 598, 604 (7th Cir. 2009)
- Hobbs v. City of Chicago, 573 F.3d 454, 460 (7th Cir. 2009)
- Nagle v. Village of Calumet Park, 554 F.3d 1106, 1116 (7th Cir. 2009)
- Herrnreiter v. Chicago Housing Authority, 315 F.3d 742, 743-45 (7th Cir. 2002)
- Anders v. Waste Management of Wisconsin, 463 F.3d 670, 676 (7th Cir. 2006)
- Argyropoulos v. City of Alton, 539 F.3d 724, 733-34 (7th Cir. 2008)
- Stephens v. Erickson, 569 F.3d 779, 786-87 (7th Cir. 2009)