

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Vick v. Steiner

Civil Action No. 14-cv-2193 (TSC) (D.D.C. Apr. 23, 2026) · No. Civil Action No. 14-cv-2193 (TSC) · Decided April 23, 2026

SUMMARY

The United States District Court for the District of Columbia issued findings of fact and conclusions of law following a six-day trial concerning an employee's Title VII, ADEA, and FMLA claims against the U.S. Postal Service. The jury found for the defendant on the Title VII claims, and the court found that the plaintiff failed to prove her ADEA and FMLA claims, requiring judgment for the defendant.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Tanya S. Chutkan
JURISDICTION	United States District Court for the District of Columbia
DECIDED	April 23, 2026
DOCKET	Civil Action No. 14-cv-2193 (TSC)
DISPOSITION	other
PROCEDURAL POSTURE	Following a six-day bench and jury trial, the court entered judgment for Defendant on Plaintiff's ADEA and FMLA claims; the jury had previously returned a verdict for Defendant on all Title VII claims.
STANDARD OF REVIEW	Plaintiff bore the burden of proving her ADEA and FMLA claims by a preponderance of the evidence. The court made findings of fact after a bench trial and assessed witness credibility.
PRECEDENTIAL VALUE	Published district court opinion; persuasive authority
PARTIES	Ella D. Vick v. David Steiner, Postmaster General, U.S. Postal Service

TOPICS

- age discrimination
- hostile work environment
- constructive discharge
- family and medical leave act
- retaliation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Defendant discriminated against Plaintiff because of age in assigning her a FY 2011 "Non-Contributor" rating, applying the 2012/2013 reduction-in-force procedures, or failing to place her in an available MDO position.
2. Whether Plaintiff was subjected to an age-based hostile work environment.
3. Whether Plaintiff was constructively discharged because Defendant deliberately created intolerable working conditions.
4. Whether Defendant willfully interfered with Plaintiff's FMLA rights by sending a return-to-work and documentation letter during her approved leave.
5. Whether Defendant retaliated against Plaintiff for exercising FMLA rights by issuing a warning, subjecting her to the reduction in force, or failing to place her in an available MDO position.

HOLDINGS

1. Plaintiff failed to prove by a preponderance of the evidence that age discrimination was a but-for cause of any challenged differential treatment, including her performance rating, treatment in the reduction in force, or failure to obtain another MDO position.
2. Plaintiff failed to prove that Defendant subjected her to age-related discriminatory intimidation, ridicule, or insult that was sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment.
3. Plaintiff failed to prove constructive discharge because she did not show that Defendant deliberately created intolerable working conditions that forced her to quit.
4. Plaintiff failed to prove a willful FMLA interference violation within the applicable three-year limitations period.
5. Plaintiff failed to prove that Defendant took an adverse employment action because she exercised FMLA rights.

KEY QUOTATIONS

"To find for Plaintiff under the ADEA, "[i]t is not enough . . . to dis believe the employer; the factfinder must believe the plaintiff's explanation of intentional discrimination" based on age." (23)

"The plaintiff must also show "some connection between the alleged abuse and the plaintiff's protected status." (24)

"Nonetheless, Plaintiff's obvious distress—even during her testimony—at leaving her mother supports an inference that the letter and Plaintiff's phone call with McLlwain "discourag[ed]" her from using the full amount of her FMLA leave." (30)

"Ultimately, the court finds that Plaintiff failed to show by a preponderance of the evidence that Defendant violated the FMLA by interfering with her leave or by retaliating against her." (33)

FACTUAL BACKGROUND

Vick was an over-forty Postal Service Manager of Distribution Operations at the Curseen Morris facility. She received a FY 2011 "Non-Contributor" rating, and a later reduction in force reduced four MDO positions to three; a veteran's preference and performance ratings resulted in other employees receiving priority, while Vick did not apply for available MDO positions and voluntarily accepted a downgraded position. Vick also took intermittent FMLA leave to care for her terminally ill mother, received a letter requesting supporting documentation or a return to work, returned to work, and later received a warning that was rescinded. The court found no credible evidence that the challenged actions were motivated by age or FMLA activity, and found that the documentation dispute reflected negligence rather than willful FMLA interference.

PROCEDURAL HISTORY

Plaintiff sued the Postmaster General alleging gender and age discrimination, retaliation, hostile work environment, constructive discharge, and FMLA interference and retaliation. In August 2022, the jury heard the Title VII claims and found for Defendant on each. The court then adjudicated the ADEA and FMLA claims and, after weighing the trial evidence and credibility of witnesses, found that Plaintiff failed to prove those claims by a preponderance of the evidence.

DISPOSITION

other

CASES CITED

- Kline v. Weichert, No. 16-cv-0262, 2020 WL 2615528, at *4 (D.D.C. May 23, 2020), aff'd, No. 20-5220, 2021 WL 5537701 (D.C. Cir. Nov. 23, 2021)
- Babb v. Wilkie, 589 U.S. 399 (2020)
- Beard v. Preston, 576 F. Supp. 2d 93, 103 (D.D.C. 2008)
- Goss v. George Wash. Univ., 942 F. Supp. 659, 664 (D.D.C. 1996)
- Ranowsky v. Nat'l R.R. Passenger Corp., 244 F. Supp. 3d 138, 144 (D.D.C. 2017), aff'd, 746 F. App'x 23 (D.C. Cir. 2018)
- Aka v. Wash. Hosp. Ctr., 156 F.3d 1284, 1294 (D.C. Cir. 1998)
- St. Mary's Honor Ctr. v. Hicks, 509 U.S. 502, 515, 519 (1993)
- Tex. Dep't of Cmty. Affs. v. Burdine, 450 U.S. 248, 253 (1981)
- Baloch v. Kempthorne, 550 F.3d 1191, 1195, 1199, 1201 (D.C. Cir. 2008)
- Harris v. Forklift Sys., Inc., 510 U.S. 17, 21-22 (1993)
- Ware v. Hyatt Corp., 80 F. Supp. 3d 218, 226 (D.D.C. 2015)
- Golden v. Mgmt. & Training Corp., 266 F. Supp. 3d 277, 286 (D.D.C. 2017)
- McKeithan v. Boarman, 803 F. Supp. 2d 63, 70 (D.D.C. 2011)
- Massaquoi v. District of Columbia, 81 F. Supp. 3d 44, 53 (D.D.C. 2015)
- Veitch v. England, 471 F.3d 124, 130 (D.C. Cir. 2006)

- Taylor v. FDIC, 132 F.3d 753, 766 (D.C. Cir. 1997)
- Cannon v. Paulson, 531 F. Supp. 2d 1, 8 (D.D.C. 2008)
- Deloatch v. Harris Teeter, Inc., 797 F. Supp. 2d 48, 64-65 (D.D.C. 2011)
- Breeden v. Novartis Pharms. Corp., 646 F.3d 43, 49-55 (D.C. Cir. 2011)
- Cooper v. Henderson, 174 F. Supp. 3d 193, 205 (D.D.C. 2016)
- McLaughlin v. Richland Shoe Co., 486 U.S. 128, 133 (1988)
- Steele v. Leasing Enters., Ltd., 826 F.3d 237, 248 (5th Cir. 2016)
- Honeycutt v. Baltimore Cnty., Md., No. 06-cv-060958, 2007 WL 1858691, at *3 (D. Md. June 18, 2007), aff'd, 278 F. App'x 292 (4th Cir. 2008)
- Iraheta v. Lam Yuen, LLC, No. 12-cv-1426, 2013 WL 6713219, at *7 (D. Md. Dec. 18, 2013)
- Bass v. Potter, 522 F.3d 1098, 1104 (10th Cir. 2008)
- Mozingo v. Oil States Energy, Inc., No. 3:14-cv-924, 2016 WL 617837, at *3 (S.D. Miss. Feb. 16, 2016), aff'd, 661 F. App'x 828 (5th Cir. 2016)
- Williams v. Tarrant Cnty. Coll. Dist., 717 F. App'x 440, 450 (5th Cir. 2018)
- Avent v. Kraft Foods Glob., Inc., No. 3:11-cv-37, 2012 WL 3555378, at *6 (E.D. Va. Aug. 16, 2012)
- Williams v. Verizon Washington, D.C. Inc., 304 F. Supp. 3d 183, 189 (D.D.C. 2018)
- Whittaker v. N. Ill. Univ., 424 F.3d 640, 647 (7th Cir. 2005)

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