

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, SHREVEPORT DIVISION

U.S. Equal Employment Opportunity Commission v. Council for the
Advancement of Social Services and Education d/b/a CASSE
Community Health Institute

EEOC v. CASSE · No. 5:23-cv-00808 · Decided January 5, 2026

SUMMARY

The United States District Court for the Western District of Louisiana ruled on the EEOC’s motion for partial summary judgment in a Title VII action involving alleged race discrimination, retaliation, and hostile work environment claims. The court granted summary judgment on liability for the retaliation claim, finding direct evidence that the employee was placed on unpaid leave because she complained about a racially charged workplace comment. The court denied summary judgment on the discrimination and hostile work environment claims because material factual disputes remained and the single undisputed comment was insufficient, standing alone, to establish a hostile work environment.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Shreveport Division
WRITING FOR THE COURT	S. Maurice Hicks, Jr.
JURISDICTION	United States District Court for the Western District of Louisiana, Shreveport Division
DECIDED	January 5, 2026
DOCKET	5:23-cv-00808
DISPOSITION	other
PROCEDURAL POSTURE	The EEOC moved for partial summary judgment on liability for certain Title VII claims asserted on behalf of Destiny Johnson. The district court granted the motion as to retaliation and denied it as to racial discrimination and hostile work environment.
STANDARD OF REVIEW	Summary judgment is appropriate when the record shows no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court views facts and reasonable inferences in favor of the nonmoving party and, when the movant meets its initial

	burden, requires the opposing party to identify specific facts showing a genuine issue for trial.
PRECEDENTIAL VALUE	unpublished
PARTIES	U.S. Equal Employment Opportunity Commission v. Council for the Advancement of Social Services and Education d/b/a CASSE Community Health Institute

TOPICS

retaliation title vii racial discrimination hostile work environment summary judgment

PRACTICE AREAS

employment law civil rights federal employment law civil procedure

QUESTIONS PRESENTED

1. Whether the EEOC was entitled to partial summary judgment on liability for Johnson's Title VII retaliation claim.
2. Whether the EEOC was entitled to partial summary judgment on Johnson's Title VII racial-discrimination claim.
3. Whether the EEOC was entitled to partial summary judgment on Johnson's Title VII race-based hostile-work-environment claim.

HOLDINGS

1. The EEOC established liability for retaliation because Johnson engaged in protected opposition when she reported conduct she reasonably believed was racially discriminatory, CASSE took the adverse action of placing her on unpaid leave, and the record contained direct evidence that the action was taken because of her complaint. CASSE failed to prove that it would have taken the same action absent the protected activity.
2. Partial summary judgment was properly denied on the racial-discrimination claim because the EEOC did not present sufficient evidence that Johnson was treated less favorably than a similarly situated employee outside her protected group under nearly identical circumstances.
3. Partial summary judgment was properly denied on the hostile-work-environment claim because the only undisputed race-based conduct—a single question about whether Johnson attended a Black Lives Matter protest—was insufficient, standing alone, to establish harassment severe or pervasive enough to alter the conditions of employment and create an abusive work environment.

KEY QUOTATIONS

“Direct evidence is evidence that, if believed, proves the fact of retaliatory intent without inference or presumption.” (Memorandum Ruling, § II)

“The Court finds that this one comment, standing alone, is insufficient to establish a hostile work environment.” (Memorandum Ruling, § IV)

FACTUAL BACKGROUND

Johnson, who is Black, worked as a dental assistant at CASSE's Shreveport clinic from July 2019 until June 2020. In June 2020, the clinic's dental director asked Johnson, the only Black employee present, whether she had attended a Black Lives Matter protest. Johnson complained that the question was racially charged and inappropriate, after which CASSE's CEO placed her on unpaid administrative leave pending an investigation; Johnson was never asked to return. CASSE later stated that Johnson's removal resulted from her "introduction of race" into the workplace, while also asserting performance-related reasons for the termination.

PROCEDURAL HISTORY

The EEOC brought Title VII claims on behalf of Johnson, a Black dental assistant formerly employed by CASSE. The EEOC moved for partial summary judgment on liability. The court concluded that the record established retaliation as a matter of law, but genuine disputes of material fact remained concerning racial discrimination and the sufficiency of the alleged harassment to support a hostile work environment claim.

DISPOSITION

other

CASES CITED

- Celotex Corp. v. Catrett, 477 U.S. 317, 323-24 (1986)
- Deshotel v. Wal-Mart Louisiana, L.L.C., 850 F.3d 742, 745 (5th Cir. 2017)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 255 (1986)
- Tubacex, Inc. v. M/V Risan, 45 F.3d 951, 954 (5th Cir. 1995)
- Matsushita Electric Industrial Co. v. Zenith Radio Corp., 475 U.S. 574, 587 (1986)
- Looney Ricks Kiss Architects, Inc. v. Bryan, 2014 WL 1092403, at *2 (W.D. La. 2014)
- Calpetco 1981 v. Marshall Exploration, Inc., 989 F.2d 1408, 1415 (5th Cir. 1993)
- Cooper v. Dallas Police Ass'n, 278 F. App'x 318, 320 (5th Cir. 2008)
- McDonnell Douglas Corp. v. Green, 411 U.S. 792, 802-04 (1973)
- Brown v. E. Mississippi Electric Power Ass'n, 989 F.2d 858, 861 (5th Cir. 1993)
- Etienne v. Spanish Lake Truck & Casino Plaza, L.L.C., 778 F.3d 473, 475 (5th Cir. 2015)
- De Anda v. St. Joseph Hosp., 671 F.2d 850, 853 n.2 (5th Cir. 1982)
- Crawford v. Metropolitan Government of Nashville and Davidson County, Tennessee, 555 U.S. 271, 277-78 (2009)
- Price v. Wheeler, 834 F. App'x 849, 858 (5th Cir. 2020)
- Thompson v. Houma Terrebonne Housing, 2019 WL 2524591, at *3 (E.D. La. 2019)
- Thomas v. Johnson, 788 F.3d 177, 179 (5th Cir. 2015)

- Lee v. Kansas City Southern Railway Co., 574 F.3d 253, 259-60 (5th Cir. 2009)
- Berquist v. Washington Mutual Bank, 500 F.3d 344, 350-51 (5th Cir. 2007)
- Parker v. State of Louisiana Department of Education Special School District, 323 F. App'x 321, 325 (5th Cir. 2009)
- E.E.O.C. v. Boh Bros. Construction Co., L.L.C., 731 F.3d 444, 453 (5th Cir. 2013)
- Aryain v. Wal-Mart Stores of Texas, L.P., 534 F.3d 473, 479 (5th Cir. 2008)
- Frank v. Xerox Corp., 347 F.3d 130, 138 (5th Cir. 2003)
- Turner v. Baylor Richardson Medical Center, 476 F.3d 337, 347 (5th Cir. 2007)

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