

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
MISSOURI, SOUTHEASTERN DIVISION

Jean Allen v. Douglas Collins

Allen · No. 1:24-cv-00019-SNLJ · Decided March 31, 2026

SUMMARY

The United States District Court for the Eastern District of Missouri granted defendant Douglas Collins’s motion for summary judgment in Jean Allen’s pro se action alleging that Department of Veterans Affairs employees violated the Rehabilitation Act. The court held that Allen’s Title VII claim failed because she conceded it was not adequately pleaded, and that several allegations were unexhausted. The court then analyzed Allen’s reasonable-accommodation, retaliation, and hostile-work-environment claims under the Rehabilitation Act based on the undisputed facts in the administrative record.

CASE DETAILS

COURT	United States District Court for the Eastern District of Missouri, Southeastern Division
WRITING FOR THE COURT	Stephen N. Limbaugh, Jr.
JURISDICTION	United States District Court for the Eastern District of Missouri, Southeastern Division
DECIDED	March 31, 2026
DOCKET	1:24-cv-00019-SNLJ
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved to dismiss the Second Amended Complaint or, alternatively, for summary judgment. Because matters outside the pleadings were presented, the court treated the motion as one for summary judgment under Federal Rule of Civil Procedure 56 and granted it.
STANDARD OF REVIEW	Summary judgment is proper when the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The evidence and reasonable inferences are viewed in the light most favorable to the nonmoving party, but the nonmoving party must identify specific record evidence showing a genuine issue for trial.

PRECEDENTIAL VALUE	Unknown
PARTIES	Jean Allen v. Douglas Collins

TOPICS

[federal employment law](#)
[ada / disability](#)
[reasonable accommodation](#)
[hostile work environment](#)
[summary judgment](#)

PRACTICE AREAS

[federal employment law](#)
[employment discrimination](#)
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[civil procedure](#)

QUESTIONS PRESENTED

1. Whether the defendant's motion to dismiss should be treated as a motion for summary judgment under Federal Rule of Civil Procedure 12(d) and Rule 56.
2. Whether Allen exhausted the Rehabilitation Act claims based on allegations outside the scope and time period of her administrative Equal Employment Opportunity complaint.
3. Whether the undisputed facts established that the VA failed to provide Allen a reasonable accommodation under the Rehabilitation Act.
4. Whether the VA retaliated against Allen for requesting a reasonable accommodation.
5. Whether the alleged conduct created a disability-based hostile work environment under the Rehabilitation Act.
6. Whether Allen stated a viable Title VII claim.

HOLDINGS

1. A motion to dismiss must be treated as a motion for summary judgment when matters outside the pleadings are presented and not excluded, provided the parties had a reasonable opportunity to present pertinent material. Because the defendant sought summary judgment, submitted extensive record materials, and Allen responded to the summary-judgment motion, the court properly applied Rule 56.
2. Federal employees must exhaust administrative remedies before bringing Rehabilitation Act employment-discrimination claims, and allegations outside the scope of the administrative complaint cannot be litigated in the federal action.
3. The Title VII claim failed as a matter of law because Allen conceded that her Second Amended Complaint did not state a Title VII claim.
4. The undisputed facts did not establish that the VA violated the Rehabilitation Act by failing to provide Allen a reasonable accommodation.
5. Allen's retaliation claim failed because the alleged scrutiny, workers' compensation delay, failure to assign training, and transfer were not materially adverse employment actions, and the record did not establish a causal connection to her accommodation request.

6. The alleged conduct was not sufficiently severe or pervasive, objectively hostile, or abusive to establish a disability-based hostile work environment under the Rehabilitation Act.

KEY QUOTATIONS

“Under Federal Rule of Civil Procedure 56(a), summary judgment shall be granted “if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.””

“The VA participated in the interactive process in good faith, allowing Allen to telework as an interim accommodation, providing guidance on revising her resume to fit the job description of the position she requested, and continuing to offer her the reassignment she had rejected.”

“By rejecting the proposed accommodation, Allen was responsible for terminating the interactive process and was no longer entitled to relief.”

FACTUAL BACKGROUND

Jean Allen was employed by the Department of Veterans Affairs as a licensed practical nurse, whose essential duties included hands-on patient care. Because of a medical condition and immunosuppressant medication, she requested telework as a reasonable accommodation and began teleworking while the VA sought additional medical documentation and explored reassignment options. The VA identified a fully teleworkable Advanced Medical Support Assistant position, but Allen altered the reassignment document to request a GS-6, step-9 salary rather than the offered GS-6, step-5 salary; the court found that the VA never accepted the counteroffer. Allen continued teleworking at her LPN special-rate salary while the accommodation and administrative processes continued.

PROCEDURAL HISTORY

Jean Allen, proceeding pro se, sued alleging that Department of Veterans Affairs employees violated the Rehabilitation Act by failing to accommodate her disability, retaliating against her accommodation request, and creating a hostile work environment. Her Second Amended Complaint also asserted a Title VII claim, which she conceded was not adequately pleaded. The court held that several allegations were outside the scope of her exhausted administrative complaint and that the undisputed facts did not support the remaining Rehabilitation Act claims. Summary judgment was entered for Douglas Collins.

DISPOSITION

other

CASES CITED

- Gibb v. Scott, 958 F.2d 814, 816 (8th Cir. 1992)
- Hamm v. Rhone-Poulenc Rorer Pharmaceuticals, Inc., 187 F.3d 941, 949 (8th Cir. 1999)
- Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 248 (1986)
- Allard v. Baldwin, 779 F.3d 768, 771 (8th Cir. 2015)

- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)
- Farver v. McCarthy, 931 F.3d 808, 811 (8th Cir. 2019)
- Benford v. Schneider Nat'l Carriers, Inc., 2021 WL 3033346 at *1 (E.D. Mo. July 19, 2021)
- Ballard v. Rubin, 284 F.3d 957, 964 n. 6 (8th Cir. 2002)
- Williams v. Little Rock Mun. Water Works, 21 F.3d 218, 223 (8th Cir. 1994)
- Richter v. Advance Auto Parts, Inc., 686 F.3d 847, 851 (8th Cir. 2012)
- Winfrey v. City of Forrest City, 882 F.3d 757, 758 (8th Cir. 2018)
- Gardner v. Morris, 752 F.2d 1271, 1277 (8th Cir. 1985)
- Dick v. Dickinson State Univ., 826 F.3d 1054, 1059-60 (8th Cir. 2016)
- Withers v. Johnson, 763 F.3d 998, 1003 (8th Cir. 2014)
- Peebles v. Potter, 354 F.3d 761, 765-68 (8th Cir. 2004)
- Brunckhorst v. City of Oak Park Heights, 914 F.3d 1177, 1182-83 (8th Cir. 2019)
- Cravens v. Blue Cross & Blue Shield of Kansas City, 214 F.3d 1011, 1019 (8th Cir. 2000)
- Hill v. Walker, 737 F.3d 1209, 1217 (8th Cir. 2013)
- Mobley v. St. Luke's Health Sys., Inc., 53 F.4th 452, 457 (8th Cir. 2022)
- Leblanc v. McDonough, 39 F.4th 1071, 1077 (8th Cir. 2022)
- Kobus v. Coll. of St. Scholastica, Inc., 608 F.3d 1034, 1039 (8th Cir. 2010)
- Walz v. Ameriprise Fin., Inc., 779 F.3d 842, 846 (8th Cir. 2015)
- Tri-Lakes Title & Escrow v. Morris Group, 443 S.W.3d 76, 79 (Mo. App. S.D. 2014)
- Trambly v. Bd. of Regents of Univ. of Nebraska, 145 F.4th 922, 927 (8th Cir. 2025)
- Kirkeberg v. Canadian Pac. Ry., 619 F.3d 898, 907-08 (8th Cir. 2010)
- Muldrow v. City of St. Louis, Missouri, 601 U.S. 346, 357-58
- Hill v. City of Pine Bluff, 696 F.3d 709, 715 (8th Cir. 2012)
- McCullers v. Napolitano, 427 F. App'x 190, 196 (3rd Cir. 2011)
- Box v. Principi, 442 F.3d 692, 697 (8th Cir. 2006)
- Elnshar v. Speedway Superiameria, LLC, 484 F.3d 1046, 1056 (8th Cir. 2007)
- Stipe v. Shinseki, 690 F. Supp. 2d 850, 883 (E.D. Mo. 2010)
- Ryan v. Capital Contractors, Inc., 679 F.3d 772, 779 (8th Cir. 2012)
- Bowen v. Mo. Dep't of Soc. Servs., 311 F.3d 878, 883 (8th Cir. 2002)
- Liles v. CS McCrossan Inc., 851 F.3d 810, 823 (8th Cir. 2017)