

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Tammy Richards v. Monmouth County Vocational School District, et al.

Civil Action No. 24-7325 (ZNQ) (RLS) (D.N.J. Dec. 16, 2025) · No. 3:24-cv-07325 · Decided December 16, 2025

SUMMARY

The United States District Court for the District of New Jersey considered Defendants’ motion to dismiss claims arising from the nonrenewal of Tammy Richards’s employment with the Monmouth County Vocational School District. The court held that the FMLA claim was not subject to dismissal on statute-of-limitations grounds at the pleading stage because the complaint alleged a willful violation and did not establish the limitations defense. The court dismissed the NJLAD disability-discrimination and retaliation claims without prejudice as time barred, based on the plaintiff’s receipt of a clear nonrenewal notice.

CASE DETAILS

COURT	United States District Court for the District of New Jersey
WRITING FOR THE COURT	Zahid N. Quraishi
JURISDICTION	United States District Court for the District of New Jersey
DECIDED	December 16, 2025
DOCKET	3:24-cv-07325
DISPOSITION	other
PROCEDURAL POSTURE	Defendants moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss Plaintiff's Corrected Amended Complaint as time barred. The court granted the motion in part as to the NJLAD claims and denied it in part as to the FMLA claim.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, construes the complaint in the plaintiff's favor, disregards legal conclusions and unsupported accusations, and determines whether the facts plausibly show entitlement to relief. A statute-of-limitations defense may support dismissal at the pleading stage only when the time bar is apparent on the face of the complaint.
PRECEDENTIAL VALUE	unpublished

TOPICS

family and medical leave act

retaliation

disability discrimination

statute of limitations

motions to dismiss

PRACTICE AREAS

employment law

civil rights

civil procedure

disability discrimination

QUESTIONS PRESENTED

1. Whether the FMLA claim could be dismissed as time barred at the pleading stage because the complaint did not plead sufficient facts to establish a willful violation and therefore a three-year limitations period.
2. Whether the NJLAD disability-discrimination and retaliation claims were time barred because the written nonrenewal notice clearly informed Plaintiff that her employment would end on June 30, 2022.
3. Whether the nonrenewal notice could be considered on the Rule 12(b)(6) motion because it was integral to or relied upon in the complaint.

HOLDINGS

1. The FMLA claim could not be dismissed on the limitations defense at the pleading stage. Because willfulness affects the limitations period rather than constituting an element of the FMLA claim, Plaintiff was not required to plead around the affirmative defense; dismissal was improper unless the complaint itself established that the claim was time barred.
2. Counts Two and Three, asserting NJLAD disability discrimination and retaliation, were time barred and were dismissed without prejudice. The limitations period began when Plaintiff received the clear written nonrenewal notice on April 13, 2022, not when the Board later conducted a hearing or when Plaintiff's employment ended.
3. The court could consider the nonrenewal notice at the pleading stage because it was integral to and explicitly relied upon in the complaint, without converting the motion into one for summary judgment.

KEY QUOTATIONS

“The important thing is that Weatherly’s complaint does not plead him out of court by establishing that the alleged violations were not willful.”

“The Nonrenewal Notice was clear: Plaintiff was terminated effective June 30, 2022, and would not be employed by MCVSD the following school year.”

FACTUAL BACKGROUND

Tammy Richards worked as a guidance counselor for the Monmouth County Vocational School District and received positive performance evaluations before taking FMLA leave beginning October 1, 2021, after experiencing severe mental-health symptoms. She returned to work on December 15, 2021, and alleged that Defendants thereafter retaliated against her through negative performance reports and nonrenewal of her employment contract. She received a written nonrenewal notice on April 13, 2022, which stated that her

employment would end on June 30, 2022, and later received a statement of reasons and a Board hearing. The Board accepted the recommendation, and Richards worked her last day on June 30, 2022.

PROCEDURAL HISTORY

Plaintiff filed the original three-count Complaint on June 27, 2024. The court granted Defendants' first motion to dismiss and allowed amendment. Plaintiff filed a Corrected Amended Complaint on April 15, 2025, reasserting FMLA retaliation/interference, NJLAD disability discrimination, and NJLAD retaliation claims. On Defendants' renewed motion to dismiss, the court denied dismissal of the FMLA claim, dismissed the NJLAD claims without prejudice, and granted leave to amend.

DISPOSITION

other

CASES CITED

- Hedges v. United States, 404 F.3d 744, 750 (3d Cir. 2005)
- Kehr Packages, Inc. v. Fidelcor, Inc., 926 F.2d 1406, 1409 (3d Cir. 1991)
- Fowler v. UPMC Shadyside, 578 F.3d 203, 210-11 (3d Cir. 2009)
- Ashcroft v. Iqbal, 556 U.S. 662, 678-79 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555, 570 (2007)
- Pension Benefit Guaranty Corp. v. White Consolidated Industries, Inc., 998 F.2d 1192, 1196 (3d Cir. 1993)
- Mayer v. Belichick, 605 F.3d 223, 230 (3d Cir. 2010)
- In re Burlington Coat Factory Securities Litigation, 114 F.3d 1410, 1426 (3d Cir. 1997)
- Plitsas v. Federal Express, Inc., Civ. No. 07-5439, 2010 WL 1644056, at *5 (D.N.J. Apr. 22, 2010)
- Hudson v. Independent Blue Cross, LLC, Civ. No. 18-3631, 2019 WL 1045303, at *2 (E.D. Pa. Mar. 5, 2019)
- Schiedt v. Donahoe, Civ. No. 13-836, 2014 WL 6991982, at *5 (D.N.J. Dec. 10, 2014)
- Durham v. Atlantic City Electric Co., Civ. No. 08-1120, 2010 WL 3906673, at *9 (D.N.J. Sept. 28, 2010)
- McLaughlin v. Richland Shoe Co., 486 U.S. 128, 133 (1988)
- Caucci v. Prison Health Services, Inc., 153 F. Supp. 2d 605, 609 (E.D. Pa. 2001)
- Ridner v. Salisbury Behavioral Health, Inc., Civ. No. 11-572, 2011 WL 5089806, at *4 (M.D. Pa. Sept. 28, 2011)
- Yevak v. Nilfisk-Advance, Inc., Civ. No. 15-5709, 2016 WL 1359745, at *3 (E.D. Pa. Apr. 6, 2016)
- Chance v. St. Michael's Medical Center, Civ. No. 22-4526, 2023 WL 157585, at *4 (D.N.J. Jan. 11, 2023)
- Rodriguez v. Stanley, Civ. No. 19-9104, 2020 WL 7338221, at *7 (D.N.J. Dec. 14, 2020)
- Abbott v. Verizon Communications of New Jersey, Civ. No. 11-421, 2013 WL 594466, at *8 (D.N.J. Feb. 15, 2013)
- Weatherly v. Ford Motor Co., 994 F.3d 940, 942-44 (8th Cir. 2021)
- Wong v. Wells Fargo Bank, N.A., 789 F.3d 889, 897 (8th Cir. 2015)
- Jessie v. Potter, 516 F.3d 709, 713 n.2 (8th Cir. 2008)

- *Crugher v. Prelesnik*, 761 F.3d 610, 617 (6th Cir. 2014)
- *Fernandez v. Clean House, LLC*, 883 F.3d 1296, 1298-99 (10th Cir. 2018)
- *Xechem, Inc. v. Bristol-Myers Squibb Co.*, 372 F.3d 899, 901 (7th Cir. 2004)
- *Gomez v. Toledo*, 446 U.S. 635, 640 (1980)
- *Levin v. Miller*, 763 F.3d 667, 671 (7th Cir. 2014)
- *Schmidt v. Skolas*, 770 F.3d 241, 249 (3d Cir. 2014)
- *Galm v. Gloucester County College*, Civ. No. 06-3333, 2007 WL 2442343, at *4 (D.N.J. Aug. 22, 2007)
- *Hanani v. New Jersey Department of Environmental Protection*, 205 F. App'x 71, 76 (3d Cir. 2006)
- *Clark v. Winslow Township Board of Education*, Civ. No. 10-4342, 2011 WL 550625, at *1, *3 (D.N.J. Feb. 9, 2011)
- *Yousef v. Capital One Services, Inc.*, Civ. No. 11-1687, 2011 WL 3739362, at *9 (D.N.J. Aug. 24, 2011)

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