



**For Immediate Release**  
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### **LDF Files Amicus Brief in Supreme Court Title VII Case**

Today, the NAACP Legal Defense and Educational Fund, Inc. (LDF) filed an amicus brief in support of certiorari in Supreme Court case *Collier v. Dallas County Hospital District*.

Robert Collier, a Black man, worked as an operating room aide at a hospital in Dallas, Texas, where he experienced repeated incidents of racial discrimination. During his employment, Mr. Collier was confronted with the N-word carved into the wall of an elevator he and other hospital employees regularly used, observed swastikas painted on a storage room wall, and heard white nurses call Black workers — including Mr. Collier — “boy.” Mr. Collier reported the elevator graffiti to human resources and other management, but it remained on the elevator wall for at least six months until it was scratched out. The swastikas were not painted over for 18 months. Mr. Collier filed a Title VII claim, alleging a racially hostile work environment.

The district court granted the hospital’s motion for summary judgment, finding that the incidents were not sufficiently severe or pervasive for a jury to find a hostile work environment. The Fifth Circuit affirmed. While the court recognized that other courts have found that workplace use of the N-word could support a hostile work environment claim, particularly in the context of workplace graffiti, it held that the harassment at the hospital was insufficient to state a claim under Fifth Circuit precedent.

“Mr. Collier faced racist graffiti and hate symbols every time he used the elevator or retrieved necessary work equipment from the storage room,” said LDF Senior Counsel Coty Montag. “The abusive graffiti remained for months with no action from hospital management. This repeated and extended exposure to racial slurs significantly affected Mr. Collier, leaving him with the sense that those responsible for ensuring a work environment free of racial abuse and harassment could not be bothered to paint over racist graffiti. In concluding that no reasonable employee would find these incidents sufficiently serious to constitute a hostile work environment, the court below failed to consider and contextualize this impact.”

“Subjecting a Black employee to the N-word is a quintessential form of racial harassment,” said LDF Assistant Counsel Jennifer Holmes. “If unaddressed racial slurs and swastikas are not enough to prove a racially hostile environment, what is? The Fifth Circuit’s ruling leaves Black workers exposed to harassment and discrimination in the workplace without recourse under Title VII, ultimately limiting their economic opportunities. We urge the Supreme Court to grant review and reverse the lower court’s ruling.”

LDF’s brief argues that Fifth Circuit erred in holding that no jury could find the use of the N-word at work sufficiently severe to support Mr. Collier’s claim, particularly when combined with other signifiers of white supremacy — the swastikas and calling Black employees “boy.” The brief also argues that the permanent nature of the graffiti, which went unaddressed by his employer for a prolonged duration, made it was sufficiently

pervasive and extremely serious under the prevailing case law to constitute an actionable claim of hostile work environment discrimination.

Read LDF's amicus brief [here](#).

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation's first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF. Follow LDF on [Twitter](#), [Instagram](#) and [Facebook](#).*