

United States Court of Appeals
For the Eighth Circuit

No. 25-2886

Canary Reed

Plaintiff - Appellant

v.

Remington Arms Company, Inc.

Defendant

The Kinetic Group, Inc., formerly doing business as Vista Outdoors, Inc.;
Remington Ammunition

Defendants - Appellees

Appeal from United States District Court
for the Eastern District of Arkansas - Central

Submitted: June 10, 2026

Filed: October 8, 2026

Before COLLOTON, Chief Judge, ERICKSON and GRASZ, Circuit Judges.

GRASZ, Circuit Judge.

Canary Reed filed suit against her former employer, The Kinetic Group, Inc.
d/b/a Remington Ammunition (Remington), asserting claims of race and gender

discrimination, a hostile work environment, and retaliation under Title VII of the Civil Rights Act and Arkansas law. Reed appeals the district court's¹ grant of summary judgment in favor of Remington. We affirm.

I. Background

In May 2021, Remington hired Reed, a black woman, to work at its facility in Lonoke, Arkansas. During the relevant time, Reed was a Body Form Technician in Remington's Rotary Cam Department and worked on the night shift. Reed's duties as a Body Form Technician included segregating plastic cutoff rings² for recycling as well as operating and overseeing heavy machinery used to manufacture shotgun shells. One of Reed's supervisors was Conrad Yekel.

Reed worked primarily with white male colleagues, whom she alleges engaged in discriminatory conduct. For example, Reed claims that "on multiple occasions" her colleagues sabotaged her workspace by intentionally shutting down the machines she worked on before her shift started, forcing her to waste time restarting the machinery. And she also alleges that they threw away a handmade tool (a "slug guide") she had created to improve productivity and that they incorrectly reported in the company's logbook that Reed was absent during some of her shifts.

On April 8, 2023, Reed attempted to email members of Remington's Human Resources Department complaining about the treatment she received from her colleagues. But Reed's intended recipients never received her email.

¹The Honorable Judge James M. Moody Jr., United States District Judge for the Eastern District of Arkansas.

²The cutoff rings were scrap metal slugs that were separated by color and recycled to produce additional shotgun shells.

Shortly thereafter, Reed complained to Yekel and Christina Beauman, the first shift supervisor, that she felt her colleagues' disposal of the slug guide was a "racial move" and that her colleagues were "being racist." Neither Yekel nor Beauman formally recorded or reported Reed's complaint. Yekel consulted with a local Human Resources representative about Reed's complaints and conducted his own investigation. Yekel did not find evidence of discrimination.

On April 12, 2023, Yekel delivered a formal written reprimand to Reed after Beauman reported Reed had been sleeping on the job during her April 7 shift. On June 12, 2023, Reed had separate conversations with two senior Remington employees about her difficulties with her co-workers. Reed does not remember whether she mentioned in either conversation that she believed her treatment was because of her race or sex.

On October 12, 2023, Reed received another formal written reprimand for failing to repair a machine that became inoperable on a previous shift and for failing to run the required number of machines on a different shift. That same day, Reed was tasked with segregating plastic cutoff rings. Yekel believed Reed failed to properly segregate the rings, resulting in plastic scraps that did not comply with certain specifications. Reed contends the previous shift had left these rings and she had merely pushed them aside. But this incident led Remington's Human Resources Department to prepare another written reprimand.

Later that same day, Reed went to Yekel's office to speak with Yekel, where another supervisor, Travis Zeman, was also present. Yekel claims he observed Reed yell at Zeman, invade his personal space, and announce that she refused to speak with him. Yekel instructed Reed to separate herself from the situation and calm down.

A few days later, in light of Reed's previous written reprimands and her behavior with Zeman, Yekel decided to terminate Reed. Reed was informed of her termination on October 20, 2023.

In July 2024, Reed sued Remington, asserting four causes of action: (1) discrimination based on race and gender under Title VII, 42 U.S.C. § 2000e-2; (2) hostile work environment under Title VII; (3) retaliation under Title VII; and (4) violation of the Arkansas Civil Rights Act, Ark. Code Ann. § 16-123-107. In May 2025, Remington filed a motion for summary judgment on all of Reed’s claims. In its motion, Remington argued Reed could not establish a *prima facie* case of discrimination, retaliation, or a hostile work environment. The district court granted Remington’s motion for summary judgment and dismissed each of Reed’s claims. Reed appeals the district court’s entry of final judgment.

II. Analysis

We review a district court’s grant of summary judgment *de novo*. *Avenoso v. Reliance Std. Life Ins. Co.*, 19 F.4th 1020, 1024 (8th Cir. 2021). Summary judgment is proper only if, viewing the evidence in the light most favorable to the nonmoving party, “there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.” Fed. R. Civ. P. 56(a). The district court may not “weigh the evidence, make credibility determinations, or attempt to discern the truth of any factual issue” when determining whether to grant summary judgment. *Avenoso*, 19 F.4th at 1024 (quoting *Great Plains Real Est. Dev., L.L.C. v. Union Cent. Life Ins.*, 536 F.3d 939, 943–44 (8th Cir. 2008)).

We evaluate Title VII and Arkansas Civil Rights Act claims “in the same manner.” *Burkhart v. Am. Railcar Indus., Inc.*, 603 F.3d 472, 477 (8th Cir. 2010); *see also Island v. Buena Vista Resort*, 352 Ark. 548, 557 (Ark. 2003) (“[C]laims premised under the Arkansas Civil Rights Act of 1993 are analyzed in the same manner as Title VII claims.” (quoting *Henderson v. Simmons Foods Inc.*, 217 F.3d 612, 615 n.3 (8th Cir. 2000))). Title VII makes it unlawful for an employer “to discharge any individual, or otherwise to discriminate against any individual with respect to [her] compensation, terms, conditions or privileges of employment, because of such individual’s race, color, . . . [or] sex” 42 U.S.C. § 2000e-2(a)(1).

“An employee may survive an employer’s motion for summary judgment on a Title VII claim ‘in one of two ways.’” *Martinez-Medina v. Rollins*, 144 F.4th 1091, 1096 (8th Cir. 2025) (quoting *Torgerson v. City of Rochester*, 643 F.3d 1031, 1044 (8th Cir. 2011) (en banc)). First, the employee may present direct evidence of Title VII discrimination. *Id.* In doing so, she must establish a causal link between her protected characteristic or activity and an adverse employment action. *Id.* Second, as in this case, “if the employee lacks [direct] evidence,” “she can avoid summary judgment only by creating the requisite inference of unlawful discrimination through the *McDonnell Douglas* framework.” *Id.* (cleaned up) (quoting *Torgerson*, 643 F.4th at 1044). Under the *McDonnell Douglas* framework, an employee is first required to establish a prima facie case of discrimination. *McDonnell Douglas Corp. v. Green*, 411 U.S. 792, 802 (1973). If the employee does so, then the burden shifts “to the employer to articulate some legitimate, nondiscriminatory reason” for the adverse conduct. *Id.* If the employer satisfies this burden, the burden shifts back to the employee to show the proffered reason was a pretext for unlawful discrimination. *Id.* at 804.

A. Discrimination

To establish a prima facie case of discrimination under Title VII, an employee “must show: (1) she is a member of a protected class; (2) she met her employer’s legitimate expectations; (3) she suffered an adverse employment action; and (4) the circumstances give rise to an inference of discrimination.” *Yang v. Robert Half Int’l, Inc.*, 79 F.4th 949, 964 (8th Cir. 2023). An employee can establish an inference of discrimination “by showing more favorable treatment of similarly situated employees who are not in the protected class, biased comments by a decisionmaker, or that the employer failed to follow its own policies or shifted its explanation of the employment decision.” *Johnson v. Westinghouse Air Brake Techs. Corp.*, 104 F.4th 674, 678 (8th Cir. 2024) (quoting *Mayorga v. Marsden Bldg. Maint. LLC*, 55 F.4th 1155, 1162 (8th Cir. 2022)).

The district court determined there was no dispute about the first and third elements — Reed is a member of a protected class and she was terminated. But the second and fourth elements were disputed: whether Reed met her employer’s legitimate expectations and whether she established an inference of discrimination. The district court concluded that regardless of whether Reed can establish she met the legitimate expectations of her employer, she failed to prove the circumstances gave rise to an inference of discrimination. We agree.

First, the district court found Reed failed to show Remington treated any similarly situated employees in a disparate manner. “Comparator employees must be ‘similarly situated in all relevant respects.’” *Blackwell v. Alliant Techsystems, Inc.*, 822 F.3d 431, 435 (8th Cir. 2016) (quoting *Young v. Builders Steel Co.*, 754 F.3d 573, 578 (8th Cir. 2014)). Although we do not require the similarly situated employee to “have committed the exact same offense,” the other employee “must have engaged in conduct ‘of comparable seriousness.’” *Ebersole v. Novo Nordisk, Inc.*, 758 F.3d 917, 925 (8th Cir. 2014) (quoting *Burton v. Ark. Sec’y of State*, 737 F.3d 1219, 1231 (2013)). Reed claims the district court erred by ignoring Remington’s treatment of her white coworker, Nathan Reichel. Reichel held the same job title, worked the same night shift, and was subject to the same production expectations. But Reed did not present evidence demonstrating Reichel engaged in conduct of comparable seriousness or had a similar disciplinary history. See *Blackwell*, 822 F.3d at 435–36. And unlike Reed, there is nothing in the record indicating Reichel engaged in a verbal altercation with a supervisor. Although Reed argues Reichel is a proper comparator because he testified he fell asleep on the job multiple times, she failed to produce evidence as to whether any supervisor actually saw Reichel asleep on the job. Therefore, we affirm the district court’s determination that Reed’s evidence that Reichel shared the same job title, hours, and responsibility was insufficient to make Reichel a similarly situated employee for Title VII purposes.

Second, the district court concluded there was insufficient evidence for a jury to infer discrimination based on the purportedly faulty investigation into Reed’s

complaints. Remington’s policy required supervisors to escalate harassment complaints to the Human Resources Department. So Reed contends Yekel acted in a biased matter and contrary to Remington’s policy because he did not escalate Reed’s complaints. But Yekel testified he consulted with Beth Ellis in Human Resources about Reed’s complaints several times. Yekel also conducted his own investigation and concluded Reed’s allegations of harassment were unsupported.³ Although it is unclear if Yekel precisely followed Remington’s internal policy, “a shortcoming in an internal investigation alone, without additional evidence of pretext, [does] not suffice to support an inference of discrimination on the part of the employer.” *Edwards v. Hiland Roberts Dairy, Co.*, 860 F.3d 1121, 1127 (8th Cir. 2017); *see also Pulczinski v. Trinity Structural Towers, Inc.*, 691 F.3d 996, 1005 (8th Cir. 2012) (“The appropriate scope of an internal investigation . . . is a business judgment, and we do not review the rationale behind such a decision.”). Therefore, we affirm the district court’s determination that Reed could not show Remington handled her complaints in a biased matter.

Even if Reed had successfully established a prima facie case of discrimination, the district court determined Remington articulated a legitimate nondiscriminatory reason for firing her. Namely, Remington cited at least three occasions where Reed failed to follow operational procedure and one account of aggressive behavior toward a supervisor. And the district court concluded that Reed could not demonstrate Remington’s proffered reasons were pretextual. To do so, she must either “‘persuad[e] the court that a discriminatory reason more likely motivated the employer’ or . . . ‘show[] that the employer’s proffered explanation is unworthy of

³For example, Yekel testified it was common practice to shut off a machine after a day shift and before a night shift. He explained that the specific employees on the day shift shut Reed’s machine off because they were not sure if she was coming into work. Yekel also testified he believed the employees who threw away Reed’s slug guide did so by accident because it was “a cardboard scrap” that could have been mistaken for trash. And Yekel stated there were other incidents of white male employees accidentally having their items thrown away.

credence.” *Martinez-Medina*, 144 F.4th at 1096 (quoting *Adams v. Nolan*, 962 F.2d 791, 795 (8th Cir. 2025)).

In response, Reed argues that her disciplinary record is inaccurate as she did not engage in all the behavior for which she was reprimanded. But as the district court noted, “[t]he critical inquiry in discrimination cases like this one is not whether the employee *actually engaged* in the conduct for which he was terminated, but whether the employer in good faith *believed* that the employee was guilty of the conduct justifying discharge.” *McCullough v. Univ. of Ark. for Med. Scis.*, 559 F.3d 855, 861–62 (8th Cir. 2009) (emphasis added). Reed does not seriously contest that Remington believed she engaged in misconduct. Therefore, this argument fails.

Reed’s second argument is that her testimony may be more credible than Remington’s witnesses. But Reed’s theories that Remington’s nondiscriminatory reason for termination was only a pretext, without evidence to support them, are insufficient to create a genuine issue of material fact. See *Connolly v. Clark*, 457 F.3d 872, 876 (8th Cir. 2006) (“[A] properly supported motion for summary judgment is not defeated by self-serving affidavits.”); *Logan v. Liberty Healthcare Corp.*, 416 F.3d 877, 881 (8th Cir. 2005) (“An employee’s attempt to prove pretext . . . requires more substantial evidence than it takes to make a prima facie case . . . because unlike evidence establishing a prima facie case, evidence of pretext . . . is viewed in light of the employer’s justification.” (cleaned up) (quoting *Smith v. Allen Health Sys., Inc.*, 302 F.3d 827, 834 (2002))). The district court correctly rejected this argument.

The district court did not err by determining Reed failed to demonstrate facts that would give rise to an inference of discrimination.

B. Retaliation

To establish a prima facie case of retaliation under Title VII, Reed must show “(1) she engaged in protected conduct; (2) a reasonable employee would have found

the retaliatory action materially adverse; and (3) the materially adverse action was causally linked to the protected conduct.” *Musolf v. J.C. Penney Co., Inc.*, 773 F.3d 916, 918 (8th Cir. 2014). The causal link between her conduct and the adverse action requires only but-for causation. *Id.* at 919 (citing *Univ. of Tex. Sw. Med. Ctr. v. Nassar*, 570 U.S. 338, 362 (2013)).

The district court found Reed engaged in a protected activity by telling Yekel and Beauman in early April 2023 that she felt her co-workers were being racist when they threw away her slug guide. And Reed also established an adverse employment action was taken against her when she was terminated on October 20, 2023. But this adverse action occurred approximately six months after her complaint. Therefore, the district court reasoned the six-month gap that followed Reed’s protected activity could not support an inference of a causal connection between her termination and the protected activity. The district court is correct.

Reed claims a reasonable jury could find but-for causation connecting her protected activity and eventual termination based on the “escalating discipline” she received after she engaged in her protected activity, having received written reprimands in April and October. But Reed acknowledged at least some of the events referenced in the October reprimand occurred. And although she now disputes whether she was asleep, she signed the April reprimand stating she made a mistake that would not happen again. Intervening events between the time the employee engaged in protected conduct and the termination “erode[] any causal connection suggested by the temporal proximity.” *Cheshewalla v. Rand & Son Constr. Co.*, 415 F.3d 847, 852 (8th Cir. 2005); *see also Mahler v. First Dakota Title Ltd. P’ship*, 931 F.3d 799, 806 (8th Cir. 2019) (no retaliatory pretext where employer had disciplined employee for distracting co-workers several times after she engaged in protected conduct). Moreover, after Reed engaged in protected conduct, Yekel withdrew at least four written reprimands about her behavior. As the district court concluded, the fact Yekel did not take every opportunity to discipline Reed after her complaints weakens any purported connection between Reed’s eventual termination and the protected activity.

And standing alone, a six-month gap between Reed’s protected activity and her termination is insufficient to support an inference of retaliation based on temporal proximity at the summary judgment stage. *See Brown v. Conagra Brands, Inc.*, 131 F.4th 624, 628 (8th Cir. 2025) (holding that three months’ proximity did not support an inference of retaliation without additional evidence). “Temporal proximity between the protected conduct and adverse action ‘must be very close’ for timing alone to be sufficient.” *Lors v. Dean*, 746 F.3d 857, 865 (8th Cir. 2014) (quoting *Sisk v. Picture People, Inc.*, 669 F.3d 896, 900 (8th Cir. 2012)).

Therefore, the district court did not err in determining that Reed could not establish a causal relationship between her protected activity and her termination. Summary judgment in favor of Remington on Reed’s retaliation claim was proper.

C. Hostile Work Environment

Finally, to establish a prima facie case of a hostile work environment, Reed must show “(1) she is a member of the class of people protected by the statute, (2) she was subject to unwelcome harassment, (3) the harassment resulted from her membership in the protected class, and (4) the harassment was severe enough to affect the terms, conditions, or privileges of her employment.” *Mahler*, 931 F.3d at 806 (quoting *Blake v. MJ Optical, Inc.*, 870 F.3d 820, 827 (8th Cir. 2017)). The fourth element involves “both objective and subjective components” — the employee must show the alleged harassment was “severe or pervasive enough to create an objectively hostile or abusive work environment and the [employee] must subjectively believe her working conditions have been altered.” *Warmington v. Bd. of Regents of the Univ. of Minn.*, 998 F.3d 789, 799 (8th Cir. 2021) (quoting *Blomker v. Jewell*, 831 F.3d 1051, 1056 (8th Cir. 2016)).

“The standard for demonstrating a hostile work environment under Title VII is ‘demanding,’ and does not prohibit all verbal or physical harassment and it is not a general civility code for the American workplace.” *Wood v. Collins*, 150 F.4th 967, 973 (8th Cir. 2025) (quoting *Martinez-Medina*, 150 F.4th at 1098);

see also *Anderson v. Family Dollar Stores of Ark., Inc.*, 579 F.3d 858, 860–64 (8th Cir. 2009) (holding plaintiff did not establish a hostile work environment despite evidence her superior called her pet names, insinuated she would be promoted in exchange for sex, and rubbed her shoulders and back at times). “Allegations of a few isolated or sporadic incidents will not suffice; rather, the [employee] must demonstrate the alleged harassment was so intimidating, offensive, or hostile that it poisoned the work environment.” *Carpenter v. Con-Way Cent. Express, Inc.*, 481 F.3d 611, 618 (8th Cir. 2007) (quoting *Nitsche v. CEO of Osage Valley Elec. Co-op.*, 446 F.3d 841, 846 (8th Cir. 2006)). To decide whether a work environment is hostile, “we examine all the circumstances, including the frequency of the discriminatory conduct, its severity, whether it is physically threatening or humiliating or a mere offensive utterance, and whether the conduct unreasonably interfered with the employee’s work performance.” *Singletary v. Mo. Dep’t of Corr.*, 423 F.3d 886, 892–93 (8th Cir. 2005).

The district court found that Reed failed to establish that any of the alleged harassment she endured was sufficiently hostile or abusive to support a claim of a hostile work environment. And it also concluded that Reed failed to provide any evidence linking her alleged mistreatment to her race or sex. The district court is correct.

First, Reed’s evidence of a hostile work environment primarily consisted of her co-workers turning off her machines before her shift began, incorrectly reporting in the company logbook that Reed had not worked her shift, blaming her for machine failures, and throwing away her slug guide. Our precedent requires far more hostile and abusive circumstances. See, e.g., *Ways v. City of Lincoln*, 871 F.2d 750, 755 (8th Cir. 1989) (evidence included approximately fifty examples of racial harassment); *Stone v. McGraw Hill Fin., Inc.*, 856 F.3d 1168, 1175 (8th Cir. 2017) (finding no triable hostile work environment claim where plaintiff presented evidence his superior “grabbed his arm during a meeting,” co-workers “interfered with [his] working relationships with his colleagues,” he was not accepted as part of his superior’s team, and he was “subjected . . . to unduly harsh work requirements”).

Reichel, Reed's coworker, testified that he heard a racial expletive and saw racist t-shirts in the workplace. But this testimony does not change the calculus. Although Reed argues that Reichel's testimony supports the existence of an objectively hostile work environment, Reed must still show that the hostile work environment was subjectively hostile. *See Carter v. Atrium Hosp.*, 997 F.3d 803, 811 (8th Cir. 2021) (emphasizing that both the objective and the subjective standard must be satisfied). In other words, Reed is required to show *she* was subject to harassment, and the harassment affected *her* employment and working conditions. *See Williams v. ConAgra Poultry Co.*, 378 F.3d 790, 794 (8th Cir. 2004) ("Because a subjectively hostile environment is one that by definition the plaintiff is aware of, a plaintiff cannot recover for harassment of which he or she is unaware."). Reichel's experience is irrelevant to Reed's subjective experience. But even if Reed had these same experiences and subjectively perceived severe and pervasive harassment, "our cases require that a plaintiff show more than . . . a few occurrences over a course of years" to establish an objectively hostile work environment. *See Singletary*, 423 F.3d at 893 (several uses of racial epithets were not frequent enough to establish a hostile work environment); *see also Burkett v. Glickman*, 327 F.3d 658, 662 (8th Cir. 2003) ("[O]ffhand comments and isolated incidents of offensive conduct (unless extremely serious) do not constitute a hostile work environment."). Therefore, the district court rightly determined that Reed could not show the conditions necessary to support her claim.

Second, even if Reed could establish a hostile work environment, the district court correctly found she did not provide any evidence her mistreatment was linked to her race or sex. Yekel offered non-discriminatory reasons for most of the allegedly hostile behavior, indicating that the machines were shut off as standard practice and for safety reasons and that the slug guide was likely thrown away by accident. Reed did not present any contradictory evidence which would create a genuine dispute of material fact on these issues.

We agree with the district court that Reed failed to present evidence connecting the alleged harassment to her protected status or indicating her

harassment was so severe or pervasive as to alter her conditions of employment. The district court correctly granted summary judgment on Reed's hostile work environment claim.

III. Conclusion

For the foregoing reasons, we affirm the judgment of the district court.
