

NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit****Chicago, Illinois 60604**

Submitted March 9, 2023*

Decided March 13, 2023

BeforeFRANK H. EASTERBROOK, *Circuit Judge*MICHAEL B. BRENNAN, *Circuit Judge*AMY J. ST. EVE, *Circuit Judge*

No. 22-2855

LAUREN GREVICH,
*Plaintiff-Appellant,**v.*UNITED STATES FISH AND
WILDLIFE SERVICE and UNITED
STATES DEPARTMENT OF LABOR,
*Defendants-Appellees.*Appeal from the United States District
Court for the Western District of
Wisconsin.

No. 21-cv-14-wmc

William M. Conley,
Judge.

* Appellee Department of Labor was not served with process in the district court and is not participating in this appeal. We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

ORDER

Lauren Grevich was injured in 2010 while working at her job with the U.S. Fish and Wildlife Service. The Service agreed to accommodate her medical needs through the end of August 2011. But on the day after her accommodation period ended, her employment was terminated—ostensibly because the job, a student internship, had ended. She unsuccessfully sought workers' compensation through the U.S. Department of Labor.

More than eight years later, Grevich filed an administrative complaint alleging that her firing was disability discrimination. The Service dismissed her complaint as untimely because she filed it well past 45 days after the supposed discrimination. *See* 29 C.F.R. § 1614.105(a)(1).

Grevich then sued both agencies for firing her because of, and not compensating her for, her workplace injury. The district court screened her complaint, *see* 28 U.S.C. § 1915(e)(2), and dismissed the Department of Labor because the statute governing federal employees' workers' compensation prohibits judicial review of compensation determinations. *Fuqua v. U.S. Postal Serv.*, 956 F.3d 961, 964 (7th Cir. 2020) (citing 5 U.S.C. §§ 8116(c), 8128(b)(2), 8145). The court, however, allowed Grevich to proceed with a disability-discrimination claim against the Service under the Rehabilitation Act of 1973, *see* 29 U.S.C. § 794, reasoning that the Act is the only remedy for federal employees claiming disability discrimination.

The court later granted the Service's motion for summary judgment on the ground that Grevich had not exhausted her administrative remedies to bring a Rehabilitation Act claim because Grevich filed her complaint well after the 45-day filing deadline. The court continued that equitable tolling did not apply because a reasonable person in Grevich's situation would have suspected the possibility of illegal discrimination.

On appeal, Grevich has submitted a brief that is only minimally developed. *See* FED. R. APP. P. 28(a). We understand her to argue that the district court disregarded her unique circumstances and subjected her to unreasonably strict deadlines. But this argument does not engage with the court's ruling that she failed to exhaust administrative remedies and that equitable tolling did not apply. To the extent Grevich says she was not certain about the discriminatory nature of her discharge until receiving a letter years later from the Department of Labor about her workers' compensation claim, she misapprehends the doctrine of equitable tolling. A claim can be tolled only if

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a party did not have access to information that would alert a reasonable person to the *possibility* of illegal discrimination. *Palmer v. Ind. Univ.*, 31 F.4th 583, 588 (7th Cir. 2022). By the time her employment ended, a reasonable person in her position—one whose boss treated her like “a whiner about [her] pain” and whose employment ended the day after her accommodations did—would have been aware of the possibility that she had been discriminated against illegally.

We have considered Grevich’s other arguments, but none is developed enough to warrant discussion.

AFFIRMED