

## U.S. Supreme Court Decision On Scope Of The Americans With Disabilities Act of 1990

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### Americans With Disabilities Act of 1990

January 24, 2002

On January 8, 2002, the United States Supreme Court issued an opinion that, following a trend set by the Court beginning with a troika of cases issued in the summer of 1999, confirms the Court's intent to narrow the scope of the Americans With Disabilities Act of 1990 ("ADA"). This new decision – *Toyota Motor Manufacturing v. Williams* – clarifies the ADA standard applicable to cases in which an employee claims that he or she is entitled to an accommodation due to an impairment that allegedly limits the employee in performing manual tasks. The Court has made it more difficult for an employee to prove that he or she is disabled. While the decision is regarded as a victory for employers and will probably result in more cases being dismissed on summary judgment, it will not make it significantly easier to make day-to-day decisions regarding accommodating employees.

The Plaintiff, Ella Williams, an assembly line worker at a Toyota plant in Kentucky, developed carpal tunnel syndrome and related impairments in the early 1990s. Toyota provided modified work assignments and later assigned Williams to work on a quality control team visually inspecting paint on finished cars as they moved along the production line. Williams was able to perform this work without accommodation. In 1996, Toyota expanded Williams' duties when it introduced a job rotation schedule for quality control. The new duties required Williams to hold her hands and arms at shoulder height for several hours, which caused her severe neck and shoulder pain and nerve inflammation. When Toyota would not accommodate Williams by eliminating the new duties, she stopped coming to work. Toyota discharged Williams for poor attendance in January 1997 and she sued, claiming that Toyota violated the ADA by not providing her a reasonable accommodation.

The federal district court in Kentucky dismissed Williams' ADA claim, finding no evidence that she was *substantially limited* in working generally. The court also found that Williams' ability to perform her visual inspection and wiping duties in the quality control job contradicted her claim that she was *substantially limited* in performing manual tasks when she sought an accommodation. Finding no other evidence of any other limitation on other major life activities, the court granted Toyota's motion to dismiss.

The Court of Appeals for the Sixth Circuit reversed the district court's ruling for Toyota, holding that an employee can show that he or she is substantially limited in performing manual tasks by showing that he or she cannot perform a certain class of manual activities related to tasks at work. In Williams' case, the Sixth Circuit held that she had proven that she was unable to perform tasks that required the gripping of tools and repetitive work with her hands and arms at or above shoulder height for extended periods of time. The court found that she had an ADA disability that should have been accommodated.

The Supreme Court reversed the Sixth Circuit, finding that it ignored the question of whether Williams' limitations *affected her life outside of her job*. Justice Sandra Day O'Connor, who wrote the Court's opinion, explained, "The central inquiry must be whether the [employee] is unable to perform the variety of tasks central to most people's daily lives" – not just those of a particular assembly line job. She added that "household chores, bathing, and brushing one's

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teeth are among the types of manual tasks of central importance to people's daily lives" and therefore evidence regarding Williams' abilities as to these activities should have been considered.

What is the practical and long-term impact of the *Toyota Motor Manufacturing v Williams* decision? Clearly, the Supreme Court has signaled that it believes that Congress only meant to protect people with significant limitations; having a diagnosis of a particular impairment in and of itself does not automatically mean a person is entitled to ADA protection and accommodation. This is indeed a victory of sorts for employers, as it likely reduces the number of people entitled to accommodation and therefore reduces the burden of compliance. However, it also means that the assessment of whether an employee is truly substantially limited as to a major life activity takes on a much more personal and invasive nature, as the person's abilities or restrictions outside the workplace take on greater importance.

The Court's ruling does not require any material change in an employer's policies regarding the provision of reasonable accommodations, and an employer's general duties under the ADA have not changed either. However, it does seem clear that an employer must now more than ever carefully consider any information the employee provides regarding limitations he or she has outside of the workplace. Employers need to be careful not to jump to the conclusion that an employee is not "disabled" under the meaning of the ADA when the employer does not have sufficient information regarding the total effect of the employee's impairment. Both the employee and employer are obligated to engage in an interactive discussion in order to determine what such limitations are; if the employee is unwilling to provide such information to his or her employer, the employer should document what information the employee has provided as the basis for its decision regarding whether an accommodation is offered. Doing so will make the defense of any ADA claim regarding the decision to accommodate much stronger.

If you have any questions about how this decision might impact your workplace directly, please contact Jim Thelen in Kalamazoo at (616) 383-5835 (thelen@millercanfield.com) or Megan Norris in Detroit at (313) 496-7594 (norris@millercanfield.com).