

U. S. Supreme Court Narrows Definition of “Disabled” Under ADA

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In *Toyota Motor Manufacturing v. Williams*, a unanimous U.S. Supreme Court issued its latest pronouncement on the scope of the federal Americans With Disabilities Act (ADA). Under the ADA, an individual who has a physical impairment that “substantially limits” one or more of his or her “major life activities” is considered to be “disabled.” However, this decision effectively limits the class of individuals who are considered “disabled” under the ADA and who therefore fall under its protection. In California, the *Williams* decision will likely have the effect of driving more employees to seek recourse under California’s Fair Employment and Housing Act (FEHA).

Overview of Facts

Williams involved an employee of one of Toyota’s automobile manufacturing plants in Kentucky. The employee claimed that she suffered from carpal tunnel syndrome and other related repetitive stress injuries caused by her work on an assembly line. Following disputes over work assignments and otherwise unsuccessful attempts to accommodate her condition, the employer eventually terminated her employment after a period of absenteeism. The employee thereafter sued in federal court, claiming that the company violated the ADA by failing to accommodate her disability. The employee’s suit was predicated on a claim that her disability substantially limited her ability to engage in the major life activity of “manual tasks.”

The lower court found that while the employee suffered from a physical impairment, she did not qualify as disabled because she was not “substantially limited” in her ability to engage in “manual tasks,” as required under the ADA. The employee appealed this ruling to the Sixth Circuit Court of Appeals. The Sixth Circuit overturned the lower court, finding that the employee was protected under the ADA, because her ailments “substantially limited” her ability to engage in a “class” of manual tasks associated with certain types of jobs - specifically those tasks associated with manual assembly line jobs, manual product handling jobs, and manual building trade jobs that require the gripping of tools and repetitive work with hands and arms extended at or above shoulder levels for extended periods of time. The employee, in turn, appealed to the Supreme Court.

The Supreme Court’s Decision

The Court’s review began with an analysis of the phrases “substantially limited” and “major life activities.” According to the Court, the word “substantial” necessarily suggests something “considerable” or “to a large degree.” Similarly, the Court concluded that the phrase “major life activity” referred to those activities that are of “central importance to daily life.” From this, the Court held that for the purposes of the ADA, an individual is “substantially limited” in performing “manual tasks,” if their impairment “prevents or severely restricts” the individual from engaging in those activities that are of “central importance to most people’s daily lives.” The Court noted that the impairment’s impact must also be permanent or long-term.

With respect to the employee at hand, the Court found that although the employee's impairment prevented her from doing her job which involved repetitive work on an assembly line, such tasks were not the types of manual tasks that are of "central importance" to people's daily lives. The Court found that the employee readily engaged in activities – such as household chores, bathing, and brushing her teeth – which fall among the realm of tasks which are of central importance to daily existence.

The Court found that the Sixth Circuit erred and should have focused on the employee's ability to perform mundane, routine types of manual tasks we all engage in on a daily basis – rather than focusing on her ability to perform the tasks associated with her specific or any other job. The Court's holding in this regard was consistent with its prior decision in *Sutton v. United Air Lines, Inc.*, in which it held that even if working qualified as a "major life activity," an employee would be required to show an inability to work in a *broad range* of jobs, rather than a *specific* one. The Supreme Court was concerned that the Sixth Circuit's analysis would undermine the *Sutton* decision, since an inability to perform a *specific* job, could always be recast as an inability to perform a "class" of "manual tasks" associated with a specific job.

The ADA in Relation to California Law

Amendments to the FEHA over the past few years have expanded the definition of "disabled" under California law. In fact, the Supreme Court's inquiry into the meaning of the word "substantial" is not even relevant to the FEHA since in California an individual's physical impairment need only *limit*, rather than *substantially limit*, a major life activity in order for he or she to fit the definition of "disabled." Moreover, unlike its federal counterpart, the FEHA provides that mitigating measures, such as medications or assistive devices, are *not* considered when determining whether an individual is limited in relation to engaging in a major life activity. Accordingly, someone who could not engage in the major life activity of "seeing" without corrective lenses for example, would be considered "disabled" for purposes of the FEHA, but not under the ADA. Finally, the definition of a "major life activity" is more broadly construed under California law.

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