

United States Supreme Court Narrows Scope of "Disability" under the Americans With Disabilities Act.

By Paul Myrick & Scott Hetrick

The United States Supreme Court recently made it more difficult for an employee to show the existence of a "disability" covered by the Americans With Disabilities Act ("ADA"), a decision that could significantly limit the number of employees protected by the ADA.

Generally, the ADA's protections extend only to "otherwise qualified" individuals who have a "disability." Under the ADA, a "disability" is a "physical or mental impairment that substantially limits one or more major life activities" (e.g., breathing, walking, talking, sleeping, seeing, hearing, and performing manual activities). In *Williams v. Toyota Motor Manufacturing*, the Supreme Court unanimously held that this definition must be "interpreted strictly to create a demanding standard" for determining whether an individual has a covered "disability."

The case arose when assembly line worker Ella Williams claimed that she had an ADA "disability" because her carpal tunnel syndrome and related physical impairments substantially limited the major life activity of performing manual activities. To support her claim, Ms. Williams showed that her ailments prevented her from performing "a 'class' of manual activities affecting [her] ability to perform tasks at work" (i.e., she could not perform various duties that required gripping of tools and repetitive work with her hands).

A lower appeals court agreed with Ms. Williams, disregarding her admission that, despite her impairments, she could perform most of her regular daily activities, such as brushing her teeth, washing her face, bathing, tending her garden, fixing breakfast, doing laundry and picking up around the house. The Supreme Court disagreed, ruling:

In order for performing manual tasks to fit into [the] category [of "major life activities"] – a category that includes such basic abilities as walking, seeing, and hearing – the manual tasks in question must be central to daily life.

[T]o be substantially limited in performing manual tasks, . . . the central inquiry must be whether the

claimant is unable to perform a variety of tasks central to most people's daily lives, not whether the claimant is unable to perform the tasks associated with her specific job.

In a holding with far-reaching implications, the Supreme Court concluded that an impairment cannot be considered a "disability" merely by "analyzing [its] effect . . . in the workplace." Thus, the lower court incorrectly ignored Ms. Williams' own testimony of her ability to perform various personal and household chores, which, according to the Supreme Court, are manual activities of "central importance to daily life."

Although the Supreme Court's decision narrowly defines "disability" (and even casts doubt on whether "working" is a "major life activity" – a position now accepted by the Equal Employment Opportunity Commission and most courts), employers should exercise caution. The Supreme Court emphasizes that whether an impairment is a "disability" requires a "case-by-case" individualized analysis. Employers would be wise to seek legal advice when questions arise requiring such an analysis.

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