

## Employment Law

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### The Supreme Court's *Toyota* Decision: The Central Importance Of The "Disability" Standard Under The Americans With Disabilities Act

#### INTRODUCTION

The complexities involved in interpreting and applying the Americans with Disabilities Act ("ADA") leave many Employers uncertain as to their rights and obligations when potential ADA situations arise in the workplace, and even as to which of their employees are covered by the ADA. The United States Supreme Court has just issued a decision directly affecting such matters. All Employers should know and understand that decision and its implications for their day-to-day application of the ADA.

#### FACTUAL BACKGROUND

Ella Williams developed carpal tunnel syndrome after working for several years on an assembly line for Toyota. For a time, Toyota agreed to abide by a set of work restrictions, recommended by Williams' physician, and eventually placed her in a position that required mostly visual inspections of cars.

After several years, Toyota restructured the position held by Williams so that it required a rotation through various tasks, some of which Williams claimed were physically difficult for her, such as working with her arms held at shoulder height for hours at a time. She requested that Toyota accommodate her medical conditions by allowing her to perform only the duties that she could perform without difficulty, such as the visual inspections. Toyota did not grant Williams' requested accommodation. When Williams began missing work on a regular basis, Toyota terminated her employment for her poor attendance. Williams filed suit under the ADA.

#### THE SUPREME COURT'S DECISION

On January 8, 2002, the United States Supreme Court issued a unanimous decision in *Toyota Motor Manufacturing, Kentucky, Inc. v. Williams*, holding that Williams could *not* establish that she had a "disability" protected by the ADA simply by showing that she could not perform certain manual tasks associated with her particular job. Instead, Williams must prove a permanent or long-term impairment that prevents or severely restricts her from engaging in activities that are "of central importance to most people's daily lives."

The Court specifically noted that there was evidence in the case that Williams was able to perform certain everyday tasks outside the workplace, such as brushing her teeth, washing her face, and fixing breakfast. That, said the Court, is the evidence that must be examined to determine whether Williams is, in fact, "disabled" under the ADA.

The text of the *Toyota* opinion can be accessed at <http://www.supremecourtus.gov/opinions/01pdf/00-1089.pdf>.

#### PRACTICAL IMPLICATIONS OF *TOYOTA*

There is no doubt that the *Toyota* decision is favorable to Employers. Yet, to the extent that its holding is that the inability to perform tasks at a particular job is insufficient to establish a protected disability, that decision did not create new law. Nevertheless, there are certain aspects of *Toyota* that are noteworthy and may prove to be useful to Employers in defending ADA claims in the future. Employers should always remember that the law in certain states differs from federal law in important respects. Before taking any position in a legal matter, therefore, Employers should consult the laws of their particular state.

- *The Decision May Be Extended To Other Major Life Activities.* Even though the context of the *Toyota* decision involves disabilities particularly in the major life activity of “performing manual tasks,” the Court’s reasoning is broad enough to be applied to most other disabilities, as well. Thus, Employers now can argue that, to be substantially limited in almost any major life activity, an individual must be significantly restricted in activities that are “of central importance to most people’s daily lives.”
- *A Diagnosis Is Not Sufficient To Establish A Substantial Limitation.* Another important aspect of the *Toyota* decision is a statement by the Court that an employee cannot establish a disability merely by producing evidence of a diagnosis of a particular medical condition. Employers now have at their disposal a strong argument that even potentially serious conditions are not protected disabilities if they do not affect, or have not begun to affect, employees in a substantial way that is of central importance to daily life.
- *What Is The Effect On Your Reasonable Accommodation Procedure?* The primary usefulness of *Toyota* to Employers most likely will be during litigation, as another weapon in the summary judgment arsenal to argue that certain plaintiffs are not qualified individuals with a disability, namely, those individuals whose impairments only affect their ability to perform certain tasks at work.

When Employers face requests for accommodation in the workplace, the *Toyota* decision should have little impact. For example, it is not the case that Employers now are free to rebuff employees seeking assistance on the grounds that they state only that they are having trouble with certain tasks at work because of a medical condition. That, as it always has been, is simply the start of the interactive process — the dialogue between Employer and employee — that still must be carried out as before. We suggest that the Supreme Court’s issuance of the *Toyota* decision does not, in and of itself, require any change to your reasonable accommodation practices and procedures, but rather should serve as a reminder for all Employers to review those practices and procedures to ensure that they comply with settled ADA requirements.

One of the main criticisms of the *Toyota* decision that already has been leveled against it is that it will result in an undue intrusion into the private lives of employees seeking reasonable accommodation at work. We believe that that criticism is unfounded. Even prior to the issuance of *Toyota*, an employee who sought reasonable accommodation under the ADA was required to establish a protected disability, which required establishing a substantial impairment to one or more major life activities. In almost all instances, that analysis necessarily involved an inquiry into the particular abilities and inabilities of the employee to perform major life activities *outside* the workplace – the activities that the average person in the general population can perform with little or no difficulty. Making that determination, difficult though it may be, has been and will continue to be part of an appropriate practice in determining the extent of an impairment and whether an employee has a protected ADA disability requiring accommodation. But *Toyota* now has given Employers some assistance in weeding out persons who simply are not entitled to the ADA’s protections.

## CONCLUSION

The *Toyota* decision is a favorable decision for Employers. Its most prominent function will be as a legal tool to help eliminate baseless claims once they have been filed. We encourage all Employers to use the decision as an opportunity to refocus their efforts on strengthening their policies and practices for handling requests for reasonable accommodation in the workplace.

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**STEPHEN M. OLSON**  
solson@kl.com  
412.355.6496

**DAVID J. KOLESAR**  
dkolesar@kl.com  
412.355.6252



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