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SUPREME COURT CLARIFIES STANDARD FOR PROVING 'DISABILITY'

By Molly Mack

This January, the U.S. Supreme Court clarified the applicable standard for proving the existence of a disability when they denied carpal tunnel syndrome sufferer, Ella Williams, that status in her suit against Toyota Motor Company. *Toyota Motor Mfg., Ky, Inc. v. Williams*, 121 S. Ct. 681 (2002). The decision does not mean that people with certain conditions are automatically barred from raising claims under the Americans with Disabilities Act (ADA). Instead, the decision limits the ability of courts to confer disability status on claimants whose primary limitations are related specifically to their job.

The effect of the decision may appear to be a serious blow to plaintiffs attempting to bring ADA suits, but its relatively limited purpose was simply to clarify the standard to show a disability. More than anything else, this decision tells courts not to confuse or combine two major life activities when determining disability status.

Ella Williams was diagnosed with carpal tunnel syndrome and after working manual labor at Toyota, she requested a reasonable accommodation under the ADA. The Appellate Court asked Williams to show "that her manual disability involved a 'class' of manual activities affecting the ability to perform tasks at work." Since Williams' ailments prevented her from doing the tasks associated with certain types of manual assembly lines, the lower court found that Williams met the standard for showing that she was a qualified individual with disabilities. In reaching its conclusion, the Appellate Court disregarded evi-

dence that Williams could tend to her personal hygiene and carry out household and personal chores.

The Supreme Court held instead that when the implicated major life activity is performing manual tasks, "the central inquiry must be whether the claimant is unable to perform the variety of tasks central to most people's daily lives." Therefore, to be substantially limited, an individual must have an impairment that prevents or severely restricts them from bathing, brushing one's teeth, tending a garden, preparing meals, doing laundry, and dressing or performing household chores, for example.

A simple submission that a person has been diagnosed with a condition has never been enough under the ADA to show that an individual has disabilities. Instead, the ADA was intended to be applied on a case by case basis, and the Supreme Court held that the individual must prove a disability by offering evidence that the extent of their limitation in terms of their own experience is substantial.

This means that specific activities will likely not be deemed to fall within those contemplated by the major life activity of performing manual tasks unless they are very basic. John Whitcomb, staff attorney for Equip for Equality, acknowledges this as the major effect of the decision. Whitcomb stated, "Lawyers will now ask their clients how they feel their disability affects their everyday life even before they are able to get to the actual facts of the case."

The general effect of the decision has been viewed with surprising variety. The U.S. Chamber of

Commerce and other pro-business organizations praised the Supreme Court's ruling. "Today's Supreme Court decision came down on the side of a reasonable definition of disability," said Stephan Bokart, general counsel for the U.S. Chamber of Commerce. "The Court understood that the ADA was not meant to create a loophole for people with routine limitations or minor injuries, but was intended for people with significant limitations."

"Lawyers will now ask their clients how they feel their disability affects their everyday life..."

-- John Whitcomb, staff attorney for Equip for Equality

Meanwhile, advocates for people with disabilities feel that this "new" definition will deter people from bringing discrimination lawsuits based on disability. For instance, employers not providing an ergonomic work environment resulting in conditions like Williams' will now be able to fire the person unless they can show that their condition keeps them from doing certain tasks.

Ira Burnim, legal director of the Bazelon Center for Mental Health Law, is of the opinion that the high court rulings show that Americans have not accepted rights for the disabled with the same enthusiasm as equality for others. "Perhaps it's just the newness of the disability laws," Burnim said. "But it's not something society has embraced," he added.