



Sixth Circuit Explains Not All Work Restrictions Are Disabilities Under The ADA

June 11, 2019 | [Employment Lessons](#), [Labor And Employment](#)



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A unanimous panel of the U.S. Court of Appeals for the Sixth Circuit recently upheld summary judgment on behalf of an employer, explaining that “just because a plaintiff has work restrictions does not mean that he is disabled.” While the 2008 amendments to the Americans with Disabilities Act (ADA) arguably relaxed the showing required for plaintiffs bringing suit under the ADA, the Sixth Circuit confirmed that “simply having a work restriction” or “being unable to perform a discrete task or a specific job” “does not automatically render one disabled” under the ADA.

In its [June 7 opinion](#), the Sixth Circuit blessed the decision by the U.S. District Court for the Middle District of Tennessee granting summary judgment for the defendant employer. The plaintiff brought suit in December 2016, asserting both failure to accommodate and disability discrimination in violation of the ADA. The plaintiff, who had been working on an assembly line under permanent work restrictions for more than a decade, alleged that his employer violated the ADA in two ways: by denying a requested transfer to a material handler position, and by transitioning his role on the assembly line from a two-job position to a four-job position.

With regard to the plaintiff’s claim about his request to be transferred to a material handler position, the Sixth Circuit held that the plaintiff’s suit was untimely, because he failed to bring his administrative charge within 300 days of the employer’s November 2015 denial of the requested transfer. In

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addition, the Sixth Circuit sided with the defendant because the plaintiff had failed to present evidence of a disability under the ADA. The court explained that the plaintiff had “advanced no evidence of his disability beyond his work restrictions,” and thus could not satisfy the ADA.

With regard to the plaintiff’s failure to accommodate claim, the Sixth Circuit held that while this claim was timely, it likewise failed because plaintiff had not “advanced an argument, supported by evidence, that he is disabled under the ADA.” Moreover, the undisputed evidence demonstrated that the employer had never failed to accommodate the plaintiff. Indeed, the defendant allowed plaintiff to continue performing his two-job position, alerting his supervisors that he was not required to perform work that conflicted with his restrictions, and kept plaintiff in this role until it reviewed his doctor’s report that determined his restrictions did not conflict with the modified assembly line position.

A key takeaway for employers facing ADA claims is that a plaintiff cannot assume that work restrictions alone satisfy the ADA’s definition of “disability.” Even under Congress’s 2008 amendments to the ADA, plaintiffs alleging a work-related disability must still demonstrate that an impairment limits his or her ability to perform a broad class of jobs. Further, the decision emphasizes the importance and efficacy of an employer’s consistent engagement in the interactive accommodation process, whenever a request for an accommodation is made.