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Case analysis

Introduction

The current case depicts that John was working for Acme as a senior analyst when he suffered from a heart attack. The supervisor confronted John after finding drugs from the drawer before he experienced a heart attack. When he returned to Acme after recovery he was employed as a part-time worker. Acme felt the need of cutting its workforce that resulted in the termination of John on the basis of his low performance and part-time status. John sued the company claiming that Acme has conducted a violation of American Disability Act (ADA).

American Disability Act

The ADA Act (1990) works for assuring provision of civil rights that restrict companies from discriminating employees on the basis of their disability. The act ensures that disabled people get the same opportunities as acquired by other people. It also states that employers are responsible for the provision of reasonable accommodations to such employees. This means employees are provided support for working without causing undue hardships to the employer (Harris, Gould, Fujiura, & Jones, 2014). The ADA act also suggests that the employee must be able to fulfil his professional responsibilities and satisfy job requirements.

The current scenario reveals that the employer of Acme has managed to fulfil his obligations by providing reasonable accommodations. The schedules are modified for John because he was offered part-time work. After his recovery from a heart attack,, the supervisor realized that he was unable to work full time. this reflects that the employer fulfilled his obligation by considering accommodations. The purpose was to reduce work burden for John but he was not given any privilege. While the ADA Act states that the company must provide employment benefits or privileges to such employees.

However, the company did not look at the performance pro-data based on hours. They compared the work performance of John with the rest of the employees neglecting the fact that he was giving fewer hours of work. Reduced hours means low performance compared to full-time employees. The ADA act states that the company can terminate unqualified employees. Even with a disability the worker must be able to perform job duties and fulfil responsibilities appropriately (Harris, Gould, Fujiura, & Jones, 2014). The employer can terminate the employee on the conditions; when termination is not linked to disability, the employee does not meet production standards or the worker poses direct threats to the company.

In the present scenario, no condition was the reason behind the termination of John. His performance didn't pose any direct threats to Acme. Also, his performance was the result of fewer work hours that confirms his qualification for the part-time position. These three conditions considered as necessary criteria of termination are not applicable. This reflects that the decision of the employer to terminate John is linked to his disability. his efficiency is affected by his heart surgery but he is still capable of working as a part-time employee. These conditions indicate that the employer and the company have violated the principles of the ADA Act.

The facts indicate that Acme failed to identify reasonable accommodations for John depending on his medical condition and work experience. The provision of accommodation does not cause undue hardship for the employer because John was paid on the basis of his work hours (Thompson, 2019). The company was not paying any privileges or additional benefits to him depicting that there was no hardship caused by John. He was also performing the required functions of his job. The company did not provide any special treatment to John that reflects that he didn't cause any unnecessary hardships to the company.

ADA's adverse employment actions are applicable in this case. This involves poor performance review, employee termination or demotion from the employer. It states that "changes in the employee's position must cause a materially significant disadvantage to the employee, such as a change in title, salary or benefits” (Ulaw, 2016). The condition of John reveals that he experienced similar issues. Changes in the nature of employment form full-time to part-time and reduction of salary caused adverse impacts on him. The company failed to provide any privileges or special benefits that reflects a violation of the ADA Act.

ADA's principle of light-duty proposition states that the employee who has undergone chronic health issues must be assigned light duties. This means giving them similar positions compared to previous work. It further suggests that the employee can return to the old position when restrictions are removed. The act also claims that "the legislature amended the workers' compensation laws to allow for a penalty for employers who do not offer employees the right to return to work" (Ulaw, 2016). This specific feature of ADA confirms that the employer has violated the act by denying John to work on light duty. this was also part of reasonable accommodation.

Conclusion

Because John was only paid for his work hours, Acme didn't face any extra costs. In such a situation, termination is not justified because the employer fails to provide an appropriate reason that fulfils the criteria of ADA. The analysis of the overall case depicts that the claims made by John are valid. Failure of Acme to offer reasonable accommodations in the form of light-duty depicts a violation of the ADA Act. The appointment of John didn't cause any significant harm to the company that reflects the decision was flawed.

References

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