

Legal case analysis of smith et. al. v. city of jackson and weber v. strippitt

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Statement of Facts

In the year 1998, the City of Jackson in Mississippi implemented a policy giving salary increase to all employees in the City. The purpose of the raise in compensation is to retain and attract several people who are qualified to perform functions in the City government. The plan include providing incentives for performance, maintaining competitiveness with other agencies in the public sector and ensuring equitable pay for all city employees not accounting age, race, color and even disability situations.

The case started on the questions of some police officers when the said policy was revised on May 1, 1999. The plan provided increase for the salaries of all police officers and police dispatchers on a desire to bring the starting pay of police officers in consonant with the regional level or average. The idea is that those who had less than 5 years of service received proportionately bigger increase in comparison to their last pay out than those police officers with more seniority. In other words, the police officers affected in that scheme questioned the policy on account of discrimination of age. Even there are police officers more than the age of 40 with less than 5 years tenure, there are more of them had more than 5 years in service. The petitioners of the case includes police officers who contended that compensation increase that was received in the year 1999 is a violation of Age Discrimination in Employment Act of 1967 of otherwise known as ADEA since they were less generous to police officers more than the age 40 than to younger police officers.

Legal and Ethical Issues Statement

The legal issue of the case is that: is it legal for the City of Jackson to revise the plan of salary increase affecting older police officers? Is it ethical for the City of Jackson to discriminate the police officers who are more than 40 years old who are affected in the revised salary increase plan for city employees?

Legally, the police officers in this case must submit a claim based on disparate-treatment claim and that submission must be legal or valid. However, the petitioners were not able to do so. Hence, the Supreme Court affirmed the findings of the court aquo that the police officers involved in the case failed to set forth a valid disparate-impact claim. Ethically, the treatment given to older police officers is also one way of discriminating them and giving them a point to raise the issue in this case. The adverse effect to them of the revised compensation plan discredited their equal efforts in serving the city of Jackson.

Applicable Legal Rules

Like Title VII with respect to all protected classes except race, the ADEA provides an affirmative defense to liability where age is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business. (§4(f)(1), 81 Stat. 603; Cf. Civil Rights Act of 1964, §703(e), 78 Stat. 256). Notwithstanding any other provision of this title, it shall not be unlawful to perform any of the prohibited activities in §§703(a)—(d)] on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of that particular business enterprise (Cornell: Smith et. al. v. City of Jackson). Another applicable legal rule for this case is the one found in ADEA wherein it shall be <https://assignbuster.com/legal-case-analysis-of-smith-et-al-v-city-of-jackson-and-weber-v-strippitt/>

illegal for an employer to limit, segregate, or classify his employees in whatever way which would deprive or tend to deprive any person of employment opportunities or otherwise adversely affect his status as an employee, because of such age of the person (Cornell: Smith et. al. v. City of Jackson).

Support for Ethical Issues

Since the case admits that there is a disparate-impact theory available for the police officers, the law also supported the said fact as implemented by the Congress interpreting that the ADEA could authorize a relief on a disparate-impact theory (Cornell: Smith et. al. v. City of Jackson). In addition to that, there may be no mention of the disparate-treatment theory on the initial regulations; the said claim can also be permitted as long as the employer relies of factors other than age. This will only mean that it is unethical to discriminate police officers on account of age. The standard of conduct that the employer must follow is to avoid discrimination as to age since it will adversely affect the individuals involved in a given circumstance.

Observation

The decision of this case necessarily points out to the fact that the decision of the city to provide larger increase to lower group of police officers for the aim of bringing salaries in connection with that of the surrounding police forces was a decision based on a reasonable factor aside from age that counts to the legitimate purpose of the city to retain police officers. The dissenting opinion of Justice Rehnquist actually points out to the denial of the certiorari thereby weighing the case for the benefit of applying disparate-

treatment theory properly. However, we should keep in mind that there is only discrimination when the sole factor that the employer focused in increasing a salary discriminately is age. When the employer accounts other factors aside from age, then there is no discrimination. This what happened in this case wherein the police officers who filed this case relied only on the basis of age to prove presence of discrimination when the City of Jackson legitimately aimed to retain most of the police officers. The impact of this case on future employment demands employers to see to it that there should be no discrimination on the basis of age.

Finally, the City of Jackson did not actually discriminate the police officers who filed this case. There is no question on the purpose of the city to raise the salary of police officers in order to match those in surrounding communities. The Supreme Court may not agree with the decision of the Court of Appeals that the disparate-treatment theory of recovery is not available on account of ADEA, its judgment was however affirmed.

Case Analysis B

David Weber vs. Strippitt

Statement of Facts

This case is between David Weber and Strippitt, Incorporated which is about disability issue. The Plaintiff of this case is Weber who suffered heart problems and was informed by the defendant to transfer to other place. Due to Weber's refusal to transfer, he was terminated from his job. Later on, he instituted a case against the company under the Americans Disability Act as well as the Minnesota Human Rights Act alleging among others that he was

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discriminated on account of age and actual disability. The jury was able to come up with a findings that for the defendants there is no discrimination on age and actual disability so that the trial court granted a motion for judgment as a matter of law on the actual disability claim based on discrimination (Lexis NexisAcademic: Weber v. Strippitt, Inc.). Hence, the plaintiff prayed for a review before the court.

The arguments of David Weber are that the defendant violated his right before the law concerning a representative jury when the defendants caused the use of peremptory challenges to deny jurors which is 50 years of age and that the trial court was wrong when it gave a decision as a matter of law on his claim of actual disability. Another argument is that the instructions of the jury are not proper or meritorious.

The Plaintiff-employee brought the matter to the Supreme Court stating those aforementioned grounds. Prior to that, he prayed for a review of his case before the United States District Court for the Minnesota District. The decision of the district court was not in favor of David Weber. However, the highest court of the land decided the case in such a way that David Weber's rights were denied based on legitimate reasons.

Legal and Ethical Issues Statement

Is it legal for the jurors to give inappropriate instructions in its decisions or findings? Is it legal for the trial court to grant motion of the defendant for judgment as a matter of law of the claim of the Plaintiff for actual disability? Is it ethical for the Strippitt Company to relocate Weber upon knowing that he has heart problems? Is it ethical for the defendant company to do outright

termination of the job position of David Weber upon refusal to relocate? This case is just a simple one but there are legal and ethical matters that need to be clarified for the benefit of both parties.

Applicable Legal Rules

The equal protection clause does not allow prosecutors from striking jurors only on the basis of their race. The rule applies also to counsel attending in choices of jury for civil cases and as well as to peremptory challenges on the basis of sex or gender-related issues. Aside from that, the practice of giving allowance to peremptory challenges may be overridden only for the most reasonable constitutional mandate. However, it must be remembered that age is not included in the classification subject to strict scrutiny under the equal protection clause as compared to race and gender. It is also noted by the Court that the appellate court has a right to review the district court's grant of a motion for judgment as a matter of law de novo (Lexis Nexis Academic: Weber v. Strippitt, Inc.). The Americans with Disabilities Act or otherwise known as (ADA) proscribes discrimination by an employer against a qualified individual with a disability because of the disability of such individual which is found in provision 42 U. S. C. S. Section 12112 (a) (Lexis Nexis Academic: Weber v. Strippitt, Inc.). The Minnesota Human Rights Act (MHRA) similarly creates a civil cause of action against employers who discharge an employee because of a disability which is found in Minn. Stat. Section 363. 03 subd. 1(2)(b) (Lexis Nexis Academic: Weber v. Strippitt, Inc.).

Support for Ethical Issues

The ethical issues of this case points out against the way the Strippitt Company handles its employee which is the Plaintiff of this case. It cannot be avoided that the Plaintiff may suffer of heart problems due to age or physical incapacity. But it was not proper on the part of the company to force the employee to relocate without considering other factors for that matter. The refusal to relocate might be a cause for termination but for purposes of fair play and procedure, there should be a hearing conducted for the benefit of both parties. What happened was that there was an outright termination for David Weber for refusal to relocate as required by the company. Hence, the error of the company is applying ethical standards in its dealings with its employees particularly David Weber which is one of them.

Observation

This case is a good basis for whatever compliance plan to be prepared for a particular company. The primary argument invoked by Weber is the equal protection clause of which he thought was violated by the opposing parties. He also questioned the alleged discriminatory acts of the defendant in terminating him from work on account of actual disability when he knows that ADA and Minnesota Human Rights Act prohibits said practices. However, the highest court affirmed the decisions of the lower courts since those age-based peremptory challenges did not violate the rule on equal protection clause as it was decided. For the Supreme Court, the judgment was meritorious and proper since the Plaintiff was not able to present enough evidence to prove his medical situation. In other words, the Plaintiff failed to prove that indeed he has heart problems.

Finally, it was not right on the part of the Plaintiff to mention that the instructions of the jury are not proper. The Supreme Court found out that the instructions of the jury were said to be fair and proper. Hence, the instructions of the jury were adequate in the sense of the law. It may be true that Weber was suffering heart problems but its failure to prove the same is tantamount to weakening his claim for discrimination on account of actual disability.

References

Cornell. (2008). Smith et. al v. City of Jackson. Retrieved September 29, 2008, from <http://www.law.cornell.edu/supct/html/03-1160.ZO.html>.

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