

Americans with disabilities act



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FedEx appealed a case awarding a disabled employee, Ronald Lockhart, with compensatory and punitive damages. Under the Americans with Disabilities Act (ADA) the employer must be acting with malice for punitive damages to be awarded; in addition, there was evidence that questioned if punitive damages were warranted. FedEx claimed that Lockhart's supervisors failed to accommodate him at work, not FedEx, and they did engage in a good-faith effort to comply with the law. Issue: The legal issue to be decided is whether FedEx acted with the requisite state of mind against the plaintiff Ronald Lockhart.

Rule: The applicable rule is Title I of the ADA of 1990 which requires that an employer make reasonable accommodation for the disability of a qualified applicant or employee. Analysis: The defense presented that Senior Operations Manager, Hanratty, was aware of FedEx's internal ADA compliancy policy and of Lockhart's disability. Lockhart repetitively requested complete notes of daily meetings, closed-captioning and ASL translation. It was reported that he did not get the notes that he had requested nor was he provided with closed captioning or ASL translation. The jury found that FedEx had acted with recklessness.

In addition it was found that the mere existence of ADA compliance will not alone protect an employer from punitive damages liability. Conclusion: The judge rejected the contentions. He indicated that the jury found that FedEx did have a degree of reprehensibility, that the punitive award represented actual or potential harm of said plaintiff, and the award is comparable to the amounts imposed in similar cases. Additionally supporting the reprehensibility, FedEx did affect the health or safety of others, the plaintiff

reported repeated offences, and the plaintiff suffered based on the defendant's actions and conduct.