

Good case study about an analytical of the echazabal v chevron inc

[Law](#), [Criminal Justice](#)



Facts

The case under scrutiny is named as Echazabal v Chevron USA, Inc. This is a case about a legal tussle between a man called Mario Echazabal and the firm for which he used to work viz. Chevron. The reason why Echazabal decided to sue his employer Chevron was that his employment offer was rescinded due to direct threat reasons by Chevron. The company came up to such a decision because they came to know about the ill-health of Echazabal and also that it was getting damaged due to him working in the cocker unit of the refinery. Echazabal was later diagnosed with Hepatitis C.

But, frustrated Echazabal didn't want to lose hope and soon filed a case against Chevron on the basis of the Americans With Disabilities (ADA) Act. The court hearing the case stated that as Chevron was reluctant to hire Echazabal on the grounds of direct threat it meant that clearly, Chevron tried to hide its expenses owed to its employees. Hence, initially the court ruled against Chevron Inc. Later, another evaluator by the name of Trott gave the final hearing of the case. He maintained that it is in the state and federal law to safeguard the health issues of the employees and that Chevron ought not to hire Echazabal on health and fitness grounds.

Issues

The chief issue presented in the case is that whether a disabled and unhealthy employee be allowed or not to work for the organization. In this case, the applicant Mario Echazabal was diagnosed with a liver disease after working for many years in Chevron Inc. in El Segundo, California. Echazabal sued the employer for rescinding his employment contract. He gave the

justification that it was against the law in accordance with the Americans With Disabilities Act (ADA). On the other hand, his employer Chevron defended themselves by stating that if they hired Echazabal it would be a “Direct Threat” to the company as they are responsible for their employees’ wellbeing.

After Echazabal had applied again to Chevron, they denied his application once again and this time asked the other employer Irwin to remove him as well. The first trial of the court after taking into account that the ADA law does not take into consideration threat to one’s own safety at workplace decided in favor of Echazabal and Chevron’s case was reversed.

After the second trial under arbitrator Trott, the court went into deep examination of the peculiarities of the case and saw that the law was unknowingly giving favor to disabled employees who could really pose a significant threat to others at workplace. As a result the district court summoned that it was not by any means an obligation on the part of Chevron or any other employer in America to hire employees who are not medically fit to work.

Holding

The court mentioned that the Americans With Disabilities Act (ADA) permits the not fit employees to work for their employer even if it causes great risk to other employees. But, the law nowhere states that if the employee’s own health is at a threat then he shouldn’t be allowed to work. Thereby, at first the verdict was decided against Chevron, Inc.

The second judge hearing the trial stated that it was not right to ignore the

fact that Mr. Echazabal was suffering from serious liver ailments. His condition would further deteriorate if he continues to work in the refinery. The judge explained that it is a crime under the federal law to knowingly subject their employees to work under life-threatening conditions. The present law is hugely in favor of those employees who are not in need of protection than to those who really need it, claimed the judge. These were the laws present in the US that relied upon by the arbitrator.

Analysis

The case in discussion is a case of workers safety at workplace. It is fought between Mario Echazabal, a worker working in the cocker unit of the refinery and Chevron, Inc. his employer in California. Echazabal after working for several years in the refinery, one day came to know of a serious illness he had developed whilst working. It was a disease known as Hepatitis C which was very dangerous and doctors were aware that it could only had developed whilst him working in the cocker unit.

At first, circuit judge Reinhardt, who was hearing the case stated that it was against the law to rescind an employee's job contract on the grounds of direct threat. Direct threat under these circumstances refers to the physical and health risks bearing an employee at workplace due to him working at a particular place. The circuit judge after further investigation of the case found that Chevron was supposedly trying to remove Echazabal from his position because they were afraid that in case of any unfortunate circumstance, they would be held responsible. The management at Chevron was worried that if Echazabal's health further deteriorates or he may not

survive then Chevron would have to pay for his life damage and other tort liability.

It was a clear case where the employer wanted to shy away from their responsibilities towards the workers. This, in the Judge's view was a violation of the Americans With Disabilities Act (ADA). Bearing all these factors in mind and after listening to all arguments, Judge Reinhardt announced his decision that Chevron had no right to rescind the job contract of Echazabal and he could continue working in the refinery. Therefore, the decision was withheld.

In the second hearing of the case, Judge Trott was of a different opinion. He emphasized the fact if an employee was disabled or ill then he may not be able to work properly. In such circumstances it is quite obvious that the employer, Chevron in this case would have to bear all the onus of the worker. He mentioned that under the ADA law, the employer is not obliged to hire such disabled workers. He stated that hiring Echazabal is not act of paternalism rather it would be an instance of violating workers' safety rules. Mr. Trott stated that it would be a forceful and undue hardship upon Chevron to employ Echazabal to work for them. He therefore, changed the ruling in favor of Chevron and put forward his dissent.

Laws Relied Upon

At first, this case was decided in favor of Echazabal allowing him to continue working in the cocker unit of the refinery. The circuit judge Mr. Reinhardt gave the hearing that since it was not dangerous for other employees so Echazabal be allowed to work. The facts and issues that he took into

consideration were that Chevron wanted to remove him because they saw Echazabal as a direct threat to his own self and others around him in the cocker unit. The judge perceived the law prevailing at the time to be very weak and ignorant of the disabled worker's own safety. He praised the ADA law and the Congress's intent to protect the rights of workers at the workplace. He emphasized that Chevron was only trying to remove Echazabal to shy away from their tort liability.

When the case went to arbitrator Trott, he looked at it in a different way. He mentioned that it was alright to protect the rights of workers but deliberately pushing a worker into the grave certainly isn't profitable for anybody. He was afraid of the fact the prevalent laws gave more protection to the co-workers rather than to the disabled employee himself. He referred to the OSHA law and said that according to this law, it is the responsibility of the state and the government to look after the health and safety of all workers. He also said that the law these days is tilted towards the employee, regardless of the fact that he may not cope with the harshness of work. He began to criticize the ADA law and thought of it to be of wrong intention and incomplete.

Own Opinion

The Equal Employment Opportunity Commission or EEOC has mandated that any employer in US need not hire a disabled employee if his health is in danger at workplace. The ADA or the Americans with Disabilities Act of 1990 seems to permit this regulation. In my view, ignoring the prescribed law is not a right choice to make and in this case I find that Chevron has tried to manipulate the law to its own advantage. I strongly perceive that the

Congress's decision to safeguard the interests of the disabled employee is apt and just. On the contrary, the threat to others is the rule that should be looked at again and whether to implement it or not is a decision the state and federal system should judge.

Echazabal's Decision to Continue Working

The ADA's discrimination definition allows for an affirmative defense of a company's decision that qualifies as being job-related and consistent with business necessity. This however, exists on the pure condition that the worker must not pose any harm to his other colleagues in whatsoever manner. The EEOC law has made it clear that an employer if hire an employee with any physical non-functionality or a disabled employee, the employer owes all responsibility towards any damages that may accrue out of the situation.

Echazabal, in the present case counts on the law " *expressio unius exclusio alterius*" that implies that articulating one aspect of an allied group always tends to ignore another one. His implication may be that the ADA law seems to contradict the other laws especially the EEOC for other threats to other workers are protected by this law. First attempt in contradiction of the said rule here is in the decree that mentions the safety against threat to co-workers is a legitimate quality and is specific to a job within business. The decision of Echazabal to carry on working is an example of the above-mentioned law and it also displays his keenness to continue his job.

Ethical Viewpoint

The second attack against the argument is some parts of the statement were deliberately missing. For example, Echazabal's argument against threat to others looks vague when it was mentioned in the law that the Congress's version of the ADA was a measured omission of the self-threat exception according to EEOC. As we know, the EEOC was one of many authorities implementing the Rehabilitation Act, thereby it should have separated the threat to self and threat to others regulation in a concise manner. This may seem obvious that the Congress purposefully attempt to practice the vague language considering that EEOC had prepared such language under the earlier mandate.

The third feature is merely the fact that this argument keeps on in spite of the Congress's unclear stand about the threat to others and threat to disabled employee. An obvious question that arises is that if the Congress what happens if a worker tries to prove that he has been falsely removed and was not a threat to others at workplace. As the Congress did not make its stand clear on threat to the disabled worker the rule can entitle obedience under the case in *Chevron Inc. v. Natural Resources Defense Council, Inc.*

The law holds true till it makes logic that the legislative defense for the requirement standards is job-specific and consistent with necessity.

Chevron's motives for claiming the regulation in its favor is a fact that includes, among others, Chevron's attempt to avoid the risk of profaning the Occupational Safety and Health Act (OSHA).

Whether a company is accountable under OSHA for employing a worker that accords to a job's specific hazards remains an unanswered question, but still

may get employers such as Chevron under trouble in OSHA. This decision to hire Echazabal under the ADA law that states that disabled workers right is on equal terms at the factory, is at a contradiction with the policies of OSHA. Courts are required to resolve the outstanding stiffness amongst the plaintiff's but the EEOC's determination to exemplify the practical selections is expected. It is so when the Congress left out the juncture of opposing objectives both roughly marked and focused to the administrative scope.

Future Outlook

Even the EEOC's resolve to be fairly known seems irrational as allowing the kind of work control the ADA was intended to run away with. It is a fact that Congress kept paternalism in view when it approved the ADA law, but the EEOC tried to check it by taking this to mean that Congress was attempting to get refusals to contribute an even disruption of disabled people. Congress was just trying to act for its own respectable position based on stereotypes. The Congress's directive to disallow this sort of fake protection, by trying to particularize question into the harms of the worker would probably hold. The direct threat defense obligation is based on a sensible medical ruling that relies on the greatest prevailing medical knowledge of the best available objective proof. The EEOC was attempting reasonably when they saw a change between refusing workplace paternalism and disregarding documented perils to the employee himself. This was in faith that even if the worker takes this with his chance for attempting to continue his job.

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