

Auto workers vs. johnson controls – assignment



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Auto Workers vs. Johnson Controls, Inc, 499 U. S. 187 (1991) FACTS The defendant, Johnson Controls Inc, manufactures batteries; these batteries contain lead as a primary ingredient in the manufacturing process. Only after 8 female employees became pregnant and were found to have lead levels in their blood higher than the recommended Occupational Safety and Health Administration standard, Johnson Controls, Inc. determined that a female employee who has been exposed to lead is putting any fetus that she carries at risk.

Due to this potential harm, Johnson Controls has created a policy excluding women with childbearing capabilities from lead-exposed jobs. Numerous auto workers sued in a federal district court class action alleging that Johnson Controls' policy constituted illegal sex discrimination under Title VII. Title VII prohibits discrimination based on race, color, religion, sex, and national origin in hiring, firing, job assignments, pa, access to training, and apprenticeship programs. The district court entered a summary judgment for Johnson Controls, Inc. The court of appeals affirmed the district court's decision.

The plaintiffs then appealed to the U. S. Supreme Court. **ISSUE** Does a policy of excluding women with childbearing capabilities fall within the so-called safety exception of the bona fide occupational qualification (BFOQ), which states that an employer may discriminate on the basis of " 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 or enterprise. " **HOLDING** No, because Title VII was amended by the Pregnancy Discrimination Act (PDA).

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The PDA states that decisions about the welfare of future children must be left to the parents who conceive, bear, support, and raise them rather than to the employers who hire those parents. Therefore, sex-specific fetal-protection policies are illegal for employers to implement. RATIONALE First the court looked at Johnson Controls, Inc. (defendant) argument that discrimination on the basis of sex was necessary because of the OSHA recommended levels of lead in the blood which could potential put fetus at risk, should be allowed in narrow circumstances.

Due to the fact that this was a BFOQ claim this brought the court to examine *Dothard v. Rawlinson*, 433 U. S. 321. *Dothard v. Rawlinson* was a case brought in front of the U. S. Supreme court about a female who because of her height and weight posed a significant security problem if hired to work as a Correctional Officer in an Alabama Maximum Security Prison for males. The case dealt with what qualifies as a BFOQ extension of Title VII, so this could help aid the Supreme Court in making a decision about the current case in which is being reviewed.

In the current case, the sex or pregnancy is not actually interfering with the employee's ability to perform the job, because a pregnant woman or woman of child bearing age can make the batteries just as efficient as anyone else. Therefore Johnson's fetal-protection policy did not suffice under a BFOQ. The final ruling in the case was that the judgment in favor of Johnson Controls, Inc. was reversed and remanded, basically the case was returned to the lower courts for further proceedings consistent with the Supreme Court's findings.