Mehryari v. First National Bank of Texas

Mehryari v. First Nat'l Bank Tex.,
2018 U.S. Dist. LEXIS 197277

Keywords: ADA, ADA – general, ADA Amendments Act (ADAAA), employment, summary judgement

Summary

Neda Mehryari, a person with clinical depression condition, sued her former employer, First National Bank Texas d/b/a First Convenience Bank ("Bank") in the Eastern District Court.

Mehryari said her former employer had illegally fired her due to her disability. Mehryari filed a motion for partial summary judgement and the bank also filed a motion for summary judgement.

Summary judgement is a decision based on evidence presented for the record without a trial. It is used when there is no dispute as to the facts of the case, and one party is entitled to judgement as a matter of law.

A civil court judge recommended denying both the partial summary judgment motion of Mehryari and the summary judgement of the Bank. This was confirmed by the Eastern District Court Judge, because there was a solid dispute of facts about whether Mehryari was an individual with a disability under the Americans with Disabilities Act Amendments Act (ADAAA).

Facts of the Case

Mehryari was employed by the Bank from March 2015 until October 2016, when she was fired. Mehryari sued the Bank, saying she was illegally fired when she reported her depression to the Bank on two occasions.

Mehryari submitted Family Medical Leave Act (FMLA) paperwork when she was hospitalized for her depression in October 2015 and January 2016. Mehryari said that, prior to being fired, she had asked the bank for accommodations for her disability.

Mehryari also said that her bosses harassed her because of her depression, often calling her "the crazy one" to her face and when referring to her in front of others. Mehryari also reported that she had occasionally asked for time off work because of her depression.

Meanwhile, the Bank said that Mehryari was fired for falsifying her time record when she was late to work on October 1, 2016. The Bank also said that Mehryari did not disclose her disability and did not ask for an accommodation during the entire time she worked at the Bank.

The Bank admitted that Mehryari took off work for inpatient hospital treatment in October 2015 and January 2016. But the Bank thought the hospitalizations were for substance abuse.

Issues of the Case

1. Whether Mehryari has met her primary burden or responsibility to establish that she is an individual with a disability under the ADAAA.

Arguments & Analysis

1. Has Mehryari met her primary responsibility to establish that she is an individual with a disability under the ADAAA?.

Under the ADA, it is illegal to discriminate against an employee due to a disability. The ADA requires that the employer make reasonable accommodations so that an employee with a disability can do the essential functions or duties of the job. The employer must provide the accommodations unless they would be an undue hardship on the employer or change the essential job duties.

Under the ADA, a person is considered to have a disability if they have a) a physical or mental impairment that substantially limits one or more major life activities b) a record of such impairment; or c) are regarded as having a disability. A motion of summary judgment is only allowed if there is no disagreement about the facts that would allow the losing party to win.

Mehryari's motion for summary judgment claimed that her depression was a disability under both state and federal law. Mehryari said that she had a disability as a matter of law because she had both a) an actual disability under the ADAAA and b) a record, or history, of a disability.

The court found that just having an impairment doesn't make a person disabled under the ADA. The court said that Mehryari must show that the impairment actually and substantially limited the major life activity she relied on, her job.

The Bank's request for summary judgment said that Mehryari did not make a case to prove she was a person with disability. The court found that there was, indeed, a genuine disagreement between Mehryari and the Bank as to whether she had a disability under the ADAAA.

In court, Mehryari did not show that her disability limited her major life activity (work). Instead, the court found, Mehryari provided vague descriptions of supposed work limitations, but **failed to provide any evidence of this**.

Rulings

The Eastern District Court agreed with the judge that there was a real disagreement about whether Mehryari had a disability. Therefore, Mehryari's partial motion for summary judgment and the Bank's summary judgment were both turned down.

Policy & Practice

The Eastern District Court Judge agreed with the magistrate judge that there was a dispute of material facts.

The Bank then made a motion request that, since Mehryari's partial motion for summary judgment was denied, the Bank's summary judgment motion should be granted. The Eastern District Court Judge determined that this was a faulty argument.

However, the conclusion that Mehryari did not establish her depression as a disability under the ADA, does *not* mean that she did not have a disability. This is because there is a genuine disagreement about whether Mehryari has a disability under the ADA and this question should be settled at trial.

Links

- Full Case Brief – Mehryari v. First Nat'l Bank Tex., 2018 U.S. Dist. LEXIS 197277
  casetext.com/case/mehryari-v-first-natl-bank-tex

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