

The_case_of_Keith_v._County_o f_Oakland.edited.docx

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Unit IV Case Study

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Unit IV Case Study

Keith v. Oakland County, 2013, attempted to discover whether a deaf individual satisfied the criteria to work as a lifeguard in Oakland County. This instance included Nicholas Keith, born deaf and went through Oakland County and Michigan's lifeguard training course. He was successful with the help of a Sign language interpreter (FindLaw, n.d.). This lawsuit sought the advice of an aquatic safety expert and a physician to establish if Keith was suitable for the position. Keith was not permitted to serve as a lifeguard by the physician designated by Oakland County.

Keith's eligibility to work as a lifeguard in Oakland County and discrimination against persons with disabilities are the legal concerns raised in the case. The job description said that candidates must be at least 16 years old. These candidates must have passed the water safety exam as well as the lifeguard preparation program. The petitioner was offered employment after passing the examinations, but he was subjected to a medical exam. Keith's handicap rendered him ineligible for the lifeguard duty, according to the medical examiner. The district court confirmed the County medical examiners' determination that Keith was unqualified for the employment because his communication skills as a lifeguard were inadequate. In the appeals court, the plaintiff presented a factual claim that the employer failed to accommodate him despite giving enough proof that he could perform the duties of a lifeguard. Keith demonstrates that reasonable accommodations were possible and that he has the necessary skills to become a lifeguard. The Court of Appeals overturned a Michigan region court's decision, finding that a deaf claimant's civil liberties under the Americans with Disabilities Act could have been contravened when the County of Oakland withdrew its employment opportunity to employ Keith in a position lifeguard.

Keith maintained that he would only need an interpreter for staff briefings and additional classroom teaching, which he considered acceptable. I believe that this accommodation was reasonable because the county is only required to hire an interpreter during staff briefings only and not employing a full-time translator as an additional lifeguard as stated by the county. In addition, according to the Americans with Disabilities Act and Rehabilitation Act of 1973 (Bateman et al., 2020), it is well within Keith's right for Oakland County to carry out an individualized investigation of his capabilities and engage in the participatory procedure of searching for accommodation. Similarly, I believe that this accommodation was reasonable because the appeals court seconded it. The appeals court rejected the lower court's conclusion that no reasonable accommodation would allow Keith to communicate effectively. According to the ADA, totals would include "the availability of trained readers or translators." According to the court, the presence of translators in the legislation implies that the supply of an interpreter will frequently be acceptable, especially when one is required on an as-needed basis, as Keith asked.

The 6th Circuit lower courts determined that the County of Oakland had not performed an individualized examination of Keith's qualifications. The court ruled that it was incongruent with the ADA's goals for an establishment to conduct a personalized investigation merely to concede to the thoughts and recommendations of individuals that had previously worked for the business. However, one thing that the county did well was, according to Keith, with the help of an interpreter for classroom instructions and meetings when he applied for the position until he concluded the training program successfully. On the contrary, they should have conducted an individualized inquiry into Keith's capabilities and engage in the interactive process of sourcing for an accommodation. I also think that the county of Oakland should have sorted legal opinion

before revoking Keith's employment offer after the county's risk management advisor expressed concerns about his capabilities and the doctor mentioned that Keith would require constant accommodation.

References

Bateman, D. F., Papalia, A., & Chovanes, J. (2020). *TENETS OF SECTION 504 OF THE REHABILITATION ACT OF 1973*. Special Education Law and Policy: From Foundation to Application, 105.

FindLaw. (n.d.). *Keith v. County of Oakland*. <https://caselaw.findlaw.com/us-6th-circuit/1620278.html>

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