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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States v. Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

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**CLEVELAND v. POLICY MANAGEMENT SYSTEMS
CORP. ET AL.**

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE FIFTH CIRCUIT

No. 97–1008. Argued February 24, 1999– Decided May 24, 1999

After suffering a stroke and losing her job, petitioner Cleveland sought and obtained Social Security Disability Insurance (SSDI) benefits, claiming that she was unable to work due to her disability. The week before her SSDI award, she filed suit under the Americans with Disabilities Act of 1990 (ADA), contending that her former employer, respondent Policy Management Systems Corporation, had discriminated against her on account of her disability. In granting Policy Management Systems summary judgment, the District Court concluded that Cleveland’s claim that she was totally disabled for SSDI purposes estopped her from proving an essential element of her ADA claim, namely, that she could “perform the essential functions” of her job, at least with “reasonable . . . accommodation,” 42 U. S. C. §12111(8). The Fifth Circuit affirmed, holding that the application for or receipt of SSDI benefits creates a rebuttable presumption that a recipient is estopped from pursuing an ADA claim and that Cleveland failed to rebut the presumption.

Held:

1. Pursuit, and receipt, of SSDI benefits does not automatically estop a recipient from pursuing an ADA claim or erect a strong presumption against the recipient’s ADA success. However, to survive a summary judgment motion, an ADA plaintiff cannot ignore her SSDI contention that she was too disabled to work, but must explain why that contention is consistent with her ADA claim that she can perform the essential functions of her job, at least with reasonable accommodation. Pp. 5–11.

(a) Despite the appearance of conflict between the SSDI program (which provides benefits to a person with a disability so severe that

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she is unable to do her previous work or any other kind of substantial gainful work) and the ADA (which prohibits covered employers from discriminating against a disabled person who can perform the essential functions of her job, including those who can do so only with reasonable accommodation), the two claims do not inherently conflict to the point where courts should apply a special negative presumption such as the one applied below. There are many situations in which an SSDI claim and an ADA claim can comfortably exist side by side. For example, since the Social Security Administration (SSA) does not take into account the possibility of “reasonable accommodation” in determining SSDI eligibility, an ADA plaintiff’s claim that she can perform her job *with* reasonable accommodation may well prove consistent with an SSDI claim that she could not perform her own job (or other jobs) *without* it. An individual might qualify for SSDI under SSA’s administrative rules and yet, due to special individual circumstances, be capable of performing the essential functions of her job. Or her condition might have changed over time, so that a statement about her disability made at the time of her application for SSDI benefits does not reflect her capacities at the time of the relevant employment decision. Thus, this Court would not apply a special legal presumption permitting someone who has applied for, or received, SSDI benefits to bring an ADA suit only in some limited and highly unusual set of circumstances. Pp. 5–10.

(b) Nonetheless, in some cases an earlier SSDI claim may turn out genuinely to conflict with an ADA claim. Summary judgment for a defendant is appropriate when a plaintiff fails to make a sufficient showing to establish the existence of an essential element on which she has the burden of proof at trial. *Celotex Corp. v. Catrett*, 477 U. S. 317, 322. An ADA plaintiff’s sworn assertion in an application for disability benefits that she is unable to work appears to negate the essential element of her ADA claim that she can perform the essential functions of her job, and a court should require an explanation of this apparent inconsistency. To defeat summary judgment, that explanation must be sufficient to warrant a reasonable juror’s concluding that, assuming the truth of, or the plaintiff’s good faith belief in, the earlier statement, the plaintiff could nonetheless perform the essential functions of her job, with or without reasonable accommodation. Pp. 10–11.

2. Here, the parties should have the opportunity in the trial court to present, or to contest, Cleveland’s explanations for the discrepancy between her SSDI statements and her ADA claim, which include that the SSDI statements that she was totally disabled were made in a forum that does not consider the effect that reasonable workplace accommodation would have on her ability to work and that those

Cite as: ____ U. S. ____ (1999)

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statements were reliable at the time they were made. Pp. 11–12.
120 F. 3d 513, vacated and remanded.

BREYER, J., delivered the opinion for a unanimous Court.