

# Menopause falls outside ADA

A federal district court in Minnesota recently decided that menopause is not a disability covered under ADA.

The case: During a poor performance review, a retail worker told her boss that, among other ailments, she was in early menopause.

She never requested accommodation. She subsequently quit under pressure from management and filed suit, saying she was protected by ADA.

She cited a recent U.S. Supreme Court ruling that said an HIV-positive person is “disabled” because her ability to reproduce is impaired. But the court denied the woman’s claim, saying her menopause did not limit her ability to work. (*McGraw v. Sears*, No. 97-CV-01334, 1998)