

SUPREME COURT OF WASHINGTON

Snyder v. Medical Service Corp. of Eastern Washington

Snyder v. Medical Service Corp., 145 Wash. 2d 233 (2001) · Decided December 13, 2001

SUMMARY

The Washington Supreme Court affirmed summary dismissal of Michelle Snyder’s claims against her former employer for constructive discharge, disability discrimination based on failure to accommodate, outrage, and negligent infliction of emotional distress. The court held that Washington recognizes wrongful discharge rather than a standalone constructive-discharge claim, that the employer had no duty to accommodate a disability not disclosed before the relevant employment decisions, and that the alleged conduct did not support liability against the employer for the asserted tort claims.

CASE DETAILS

COURT	Supreme Court of Washington
WRITING FOR THE COURT	Sanders, J.; Ireland, J.; Smith, J.; Madsen, J.; Bridge, J.; Guy, J. Pro Tem.
JURISDICTION	Washington
DECIDED	December 13, 2001
DISPOSITION	affirmed
PROCEDURAL POSTURE	Snyder appealed the trial court's summary dismissal of her claims for handicap discrimination, constructive discharge, outrage, and negligent infliction of emotional distress. The Court of Appeals, Division Three, affirmed, and the Washington Supreme Court granted review.
STANDARD OF REVIEW	Summary judgment is reviewed de novo, with the facts stated in the light most favorable to the nonmoving party. Summary judgment is proper when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.
PRECEDENTIAL VALUE	Published, precedential Washington Supreme Court opinion
PARTIES	Michelle Snyder v. Medical Service Corporation of Eastern Washington

TOPICS

disability discrimination

reasonable accommodation

employment at-will

negligent infliction of emotional distress

appellate procedure

PRACTICE AREAS

employment law

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QUESTIONS PRESENTED

1. Whether Washington recognizes constructive discharge as an independent cause of action.
2. Whether MSC had a duty under Washington's Law Against Discrimination to accommodate Snyder's alleged mental disability before Snyder informed MSC of the disability, including by providing a new supervisor or transferring her.
3. Whether Snyder presented a prima facie claim for the tort of outrage against MSC based on Hall's conduct.
4. Whether Snyder presented a cognizable claim for negligent infliction of emotional distress based on MSC's handling of workplace disputes.

HOLDINGS

1. Washington does not recognize constructive discharge as an independent cause of action; constructive discharge may be part of a wrongful-discharge claim, which requires a discharge contravening a clear mandate of public policy. Because Snyder did not allege that her constructive discharge violated a recognized public policy, dismissal was proper.
2. An employer's duty to reasonably accommodate a disability does not arise until the employer is made aware of the disability. Because Snyder did not inform MSC of her alleged disability until after her prior transfer requests had been denied, those denials could not support a failure-to-accommodate claim. In addition, WLAD does not require an employer to accommodate a disability by providing a new supervisor.
3. MSC was not liable as a matter of law for Hall's intentional tortious conduct because Hall acted outside the scope of her employment and MSC prohibited supervisors from using physical force or threats of physical force. Snyder's outrage claim against MSC was therefore properly dismissed.
4. Absent a statutory or public-policy mandate, an employer does not owe employees a duty to use reasonable care to avoid the inadvertent infliction of emotional distress when responding to workplace disputes. Because Snyder identified no applicable duty and her claim concerned a workplace dispute or personality difference, dismissal was proper.

KEY QUOTATIONS

"We recognize an exception to the terminable-at-will doctrine by permitting a cause of action for wrongful discharge only "where the discharge contravenes a 'clear mandate of public policy.' " (239)

“Because Snyder did not inform MSC of her disability prior to seeking a transfer to another position in the company, no duty to accommodate that disability ever arose.” (240)

“We find these cases persuasive and conclude that there is no duty under WLAD to reasonably accommodate an employee’s disability by providing her with a new supervisor.” (242)

“MSC is not liable, as a matter of law, for the intentional torts committed by Ms. Hall acting outside the scope of her employment.” (243)

“Absent a statutory or public policy mandate, employers do not owe employees a duty to use reasonable care to avoid the inadvertent infliction of emotional distress when responding to workplace disputes.” (244)

“The utility of permitting employers to handle workplace disputes outweighs the risk of harm to employees who may exhibit symptoms of emotional distress as a result.” (245)

FACTUAL BACKGROUND

Michelle Snyder worked as a case manager for Medical Service Corporation of Eastern Washington under supervisor Celestine Hall, whom employees described as intimidating and harassing. After Hall mocked Snyder at a staff meeting, poked her in the chest, and accused her of insubordination, Snyder took medical leave and later informed Hall’s supervisor that she had posttraumatic stress disorder and could not work under Hall. Snyder requested either a direct reporting relationship or a transfer, but she ultimately accepted a full-time position with another company and did not return to MSC.

PROCEDURAL HISTORY

The trial court granted Medical Service Corporation summary judgment dismissing Snyder’s civil action. Division Three of the Court of Appeals affirmed. The Washington Supreme Court granted review and affirmed both decisions.

DISPOSITION

affirmed

CASES CITED

- Riccobono v. Pierce County, 92 Wn. App. 254, 966 P.2d 327 (1998)
- Roberts v. Atlantic Richfield Co., 88 Wn.2d 887, 568 P.2d 764 (1977)
- Webster v. Schauble, 65 Wn.2d 849, 400 P.2d 292 (1965)
- Roberts v. Dudley, 140 Wn.2d 58, 993 P.2d 901 (2000)
- Thompson v. St. Regis Paper Co., 102 Wn.2d 219, 685 P.2d 1081 (1984)
- Jane Doe v. Boeing Co., 121 Wn.2d 8, 846 P.2d 531 (1993)
- Pulcino v. Federal Express Corp., 141 Wn.2d 629, 9 P.3d 787 (2000)
- Goodman v. Boeing Co., 127 Wn.2d 401, 899 P.2d 1265 (1995)
- Holland v. Boeing Co., 90 Wn.2d 384, 583 P.2d 621 (1978)

- Dean v. Municipal of Metropolitan Seattle, 104 Wn.2d 627, 708 P.2d 393 (1985)
- Weiler v. Household Finance Corp., 101 F.3d 519 (7th Cir. 1996)
- Taylor v. Phoenixville School District, 184 F.3d 296, 319 n.10 (3d Cir. 1999)
- Gaul v. Lucent Technologies Inc., 134 F.3d 576, 581 (3d Cir. 1998)
- Palmer v. Circuit Court of Cook County, 905 F. Supp. 499, 507 (N.D. Ill. 1995), aff'd, 117 F.3d 351 (7th Cir. 1997)
- Birkliid v. Boeing Co., 127 Wn.2d 853, 904 P.2d 278 (1995)
- Dicomes v. State, 113 Wn.2d 612, 782 P.2d 1002 (1989)
- Rice v. Janovich, 109 Wn.2d 48, 742 P.2d 1230 (1987)
- Grimsby v. Samson, 85 Wn.2d 52, 530 P.2d 291 (1975)
- Niece v. Elmview Group Home, 79 Wn. App. 660, 904 P.2d 784 (1995)
- Bratton v. Calkins, 73 Wn. App. 492, 870 P.2d 981 (1994)
- Kuehn v. White, 24 Wn. App. 274, 600 P.2d 679 (1979)
- Hunsley v. Giard, 87 Wn.2d 424, 553 P.2d 1096 (1976)
- Lords v. Northern Automotive Corp., 75 Wn. App. 589, 881 P.2d 256 (1994)
- Hartley v. State, 103 Wn.2d 768, 698 P.2d 77 (1985)
- Bishop v. State, 77 Wn. App. 228, 889 P.2d 959 (1995)
- Johnson v. Department of Social & Health Services, 80 Wn. App. 212, 907 P.2d 1223 (1996)
- Chea v. Men's Wearhouse, Inc., 85 Wn. App. 405, 932 P.2d 1261 (1997)
- Calhoun v. Liberty Northwest Insurance Corp., 789 F. Supp. 1540, 1548 (W.D. Wash. 1992)
- Antalis v. Ohio Department of Commerce, 68 Ohio App. 3d 650, 589 N.E.2d 429 (1990)
- Herman v. United Brotherhood of Carpenters & Joiners, 60 F.3d 1375 (9th Cir. 1995)
- Tischmann v. ITT/Sheraton Corp., 882 F. Supp. 1358 (S.D.N.Y. 1995)
- Armstrong v. Paoli Memorial Hospital, 430 Pa. Super. 36, 633 A.2d 605 (1993)
- Parsons v. United Technologies Corp., 243 Conn. 66, 700 A.2d 655 (1997)
- Morris v. Hartford Courant Co., 200 Conn. 676, 513 A.2d 66 (1986)
- Rodrigues v. State, 52 Haw. 156, 472 P.2d 509 (1970)
- Wells v. City of Vancouver, 77 Wn.2d 800, 467 P.2d 292 (1970)