Discrimination in the Workplace

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Age and obesity discrimination is the fastest growing type of discrimination in the workforce. The federal government established The Age Discrimination in Employment Act of 1967 which protected workers 40-years-old and older from being discriminated against based on age ("Laws Enforced", 2009). The Equal Employment Opportunity Commission (EEOC) investigates claims of workplace age discrimination in workers 40-years-old and older ("About EEOC", 2009). In 2008 there were 24,582 complaints of age bias reported to the EEOC (Levitz and Shishkin, 2009). A substantial proportion of the American public is overweight. Overweight individuals are frequently the victims of pervasive discrimination, particularly in the area of employment. This paper examines issues associated with Age and obesity discrimination in the workplace.

AGE DISCRIMINATION IN THE WORKFORCE

Historically employers wishing to hire new employees were able to disregard applications based upon any age bias. To discourage employer from age discrimination the federal government created the Age Discrimination in Employment Act of 1967 ("Laws Enforced", 2009). "The Age Discrimination in Employment Act of 1967 (ADEA) is a federal law protecting people 40 years of age or older from employment discrimination based on age. ADEA applies to employers with twenty or more employees" ("Laws Enforced", 2009). Companies that do not have twenty or more employees are not covered under ADEA but many states do offer laws to protect employees from age discrimination.

Under ADEA the federal government only defines age discrimination as a biased incident against employees 40 years of age and older, but the struggling economy has forced an age bias in younger employees as well. Age discrimination can take its toll physically, emotionally, and financially on employees. Employees may lose their income, house, or become overly stressed as a result of age discrimination. In the implications/analysis section, there are four specific cases documenting different situations of age discrimination and how they affected the lives of the employees. The workplace discrimination claims are all investigated through the Equal Employment Opportunity Commission ("About EEOC", 2009).

When must people think of discrimination they think of black and white, male and female, or gay and lesbian, but the EEOC has reported age bias discrimination is the highest and fastest growing type of discrimination. With the national unemployment rate hovering above 10% companies are looking to continue operations in the most cost effective way. Employers are caring less about ethical practices and employee relations, and more about making a profit by any means necessary. With agencies like the EEOC and new employment regulations, employers need to realize the consequences of their actions legally, and the effect their actions have on both younger and older employees.

What is Discrimination?

With the current national unemployment rate being 10.2% during the economic recession claims of employment discrimination are up (U.S Department of Labor, 2009). Webster's Online Dictionary states, "Discrimination is defined as a biased decision based on a prejudice against and individual group characterized by race, class, sexual orientation, age, disabilities, etc…" With companies having to "downsize" to stay afloat some employers are partaking in biased layoff practices. Bias complaints are at an all time high, with a 29% increase in age, 14% increase in sex, 14% increase in religious, 13% increase in nationality, 11% increase in race, and 10% increase in disability complaints from 2007 to 2008 (Levitz and Shishkin, 2009). Collectively overall employment discrimination complaints are at a record high up 15% in 2008 for a grand total of 95,402 (Levitz and Shishkin, 2009).

Discrimination in Older Workers

Age based discrimination has been the most popular type of discrimination reported to date. "The Michigan Department of Civil Rights reports a 77% increase in the number of people who contacted the agency claiming age discrimination over the percent past three years, from 703 in 2005 to 1,245 in 2008. Of those, all but 1 involved claims of discrimination at work" (Price, 2009). To test whether or not older workers were being looked at on the same level as younger employees several blind studies have been conducted. In a study done by Joanna Lahey where 4,000 fake resumes were sent out in Boston and St. Petersburg, Florida, for entry level clerk jobs, employees believed to be less than 50 years old were 40% more likely to be called for an interview (Price, 2009). According to the Department of Labor, around 40% of people ages 55 and older made up January's work force. The 40% of people 55 years and older in the workforce is an increase of 4% from January of 2004 (Levitz and Shishkin, 2009). Due to the economy being in a rut older workers are delaying their retirement in order to build a stronger 401K and pension. Even in 2002 the number of employees between the ages of 55 and 64 rose by 2% (Armour, 2003).

While federal law protects workers 40 years old and older, some states have adopted laws to protect younger workers from reverse age discrimination. "The Minnesota Human Rights Act (MHRA) prohibits employers from discriminating against employees based on age. The protected class includes any person over that age of majority, thus unlike the Federal Age Discrimination in Employment Act, the MHRA protects individuals age 18 or older" (Ross, 2006). The number of jobs for workers within the age range of 16 to 24 has fallen. Almost 10 years ago 59 percent of people ages 16 to 24 had jobs, but now only 49 percent of them are employed. Americans among the ages 25 to 29 are also seeing a decline in the number of jobs available. Now only 74 percent have a job, which is down from 81 percent a decade ago (Greenhouse, 2009). Michigan has also realized the importance in protecting workers of all ages and state legislators created the Elliott-Larsen Civil Rights Act. Under the Elliott-Larsen Civil Rights Act discrimination is prohibited based on religion, race, color, national origin, age, sex, height, weight, familial status, or marital status, as well as retaliation (Hornberger, 2003).

Explanation of Age Bias

There are several different explanations that are causing age discrimination in the workforce. Different organizations and companies cite that older workers are less productive, less ambitious, have a lack of creativity, harder to train and often more expensive (Dipboye and Colella, 2005). Older employees are being passed over for jobs because "some companies may have difficulty with older workers because they may not be willing to change with a company's new way of doing things or have the technological skill set to keep pace with their company. Younger workers and those recently out of school tend to be more flexible to change" (Price, 2009). In a national study conducted by AARP in 2000, human resource managers gave the top five stereotypes of older employees. The top five false stereotypes include: older workers are unwilling to try new things, not as agile or quick, have more health related problems, unwilling to learn new technology and less driven due to being burnt out of in the proximity of retirement (AARP, 2009). “It's also possible that companies may be targeting older workers in some layoffs because the senior staffers are generally the highest paid and have the most lucrative benefits," (Levitz and Shishkin, 2009). Younger employees are being turned away for lack of experiences. With the troubled economy, younger employees are being laid off for workers with more sonority, or personal family situations. In a 1976 study conducted by Rosen and Jerdee, younger employees were perceived to be more creative, ambitious, motivated, logical and work better under pressure than older employees (Dipboye and Colella, 2005). Recently, AARP Bulletin reported under Age Bias. In what some see as age bias, older workers are being forced out of their jobs. Case of Teheresa Seibert, Age at termination 52, employer Quest Diagnosis. Theresa worked for the New Jersey based company for almost half of her life. The new management changed her sales territory and made it impossible to reach new quotas. In 2010 she was fired for poor performance and denied severance pay for her 26 years of service. Theresa sued Quest in US District Court in New Jersey alleging that her termination was part of a plan to drive out older sales representatives with younger people who were not required to meet the same standards. Theresa returned to school to study organizational leadership and become more marketable. Second Case is of Ellen Mednick, age at termination 66yrs, employment length 15 years. In May 2013, Ellen was pushed out of the door. According to Ellen the company got rid of oldest worker where it had layoffs & there was a pattern of age discrimination. Third case is of Paul Oravez, age at termination59 years, employment length 10years, former employer Johnson & Johnson. Paul says he watches his nickels & dimes and has settled into retirement Forth case is of Dave Lundin, age at termination 58years, former employer General Motors, employment length 26years. Dave was told that skills were no longer needed. GM trashed him, he has been applying to dozens and dozens of jobs in marketing. Dave was making $200,000/- & is now willing to work for $50,000/0/-Dave went back to school & earned a 2nd master’s degree in counselling.

The Equal Employment Opportunity Commission

Age discrimination claims have been on the rise since 1997, when 15,785 reports were filed. According to the EEOC, last year, 21, 396 claims were recorded. Today we see a trend an aging population. More than 1 in 5 workers are age 55 and up. The Age Discrimination in Employment Act of 1967 protects workers 40 and older from personnel decisions based solely on age in hiring, firing, layoffs, promotions or demotions. The act applies to employers with at least 20 workers.

The EEOC enforces federals laws that make it illegal to discriminate against a job applicant or an employee because of the person's race, national origin, sex, age (40 or older), religion, or disability (“Laws Enforce”, 2009). The Age Discrimination in Employment Act of 1967 (ADEA) protects people who are 40 years old or older from discrimination based on their age. The act also makes it illegal to retaliate against a person who complained about age discrimination, filed a charge about age discrimination or participated in a employment discrimination or lawsuit (“Laws Enforced”, 2009). In cases investigated by the EEOC about 20% of them result in a “merit finding” A merit finding involves findings in favor of the employees, but does not automatically mean that an employee can return to work (Levitz and Shishkin, 2009). “60% of cases are typically given the right to sue stamp by the EEOC, and the plaintiffs are free to file a civil court case.” The other 20% of cases are dismissed. (Levitz and Shishkin, 2009)

The enforcement of equal employment laws such as The Age Discrimination in Employment Act of 1967 came under attack with the U.S. Supreme Courts case Gross v. FBL Financial Services. In the case Gross v. FBL Financial Services the Supreme Court made it harder for older workers to win lawsuits against employers by saying workers must prove that age was the decisive factor, rather than a motivating factor, in adverse employment decisions (Price, 2009). Age discriminations are now harder to prove than ever. The burden of proof is placed on the employees rather than the employer, and often next to impossible to prove. “Only 1 in 5 workplace complaints filed with the EEOC in 2008 resulted in a favorable outcome for the older worker” (Price, 2009). “The EEOC obtained more than $114 million in monetary awards for plaintiffs through enforcement and litigation” (Levitz and Shishkin, 2009). The

EEOC received a staggering 24,582 complaints of age bias in 2008, up 5479 from 2007 (Levitz and Shishkin, 2009). Although there are such a high number of complaints, surveys show the actual number is probably higher. “The number of cases could be higher, as not all workers contact government agencies for redress, some turn to lawyers” (Price, 2009). But the law was weakened in 2009, when US Supreme Court ruling made it more difficult for workers to prove age discrimination. US SC shifted the burden on the worker. The burden of proof was on the worker to show that age was the deciding factor rather than one of the number of factors as previously held-in a dismissal, demotion or other adverse action. Bipartisan legislation.(Protecting Older workers Against Discrimination Act) introduced last year would restore some protections.

Many employers skirt age discrimination laws by offering severance pay to ousted older workers with condition that they sign waivers releasing the company from liability. Some employers are settling unrealistic goals. Some employers are pushing older employees out by asking them to voluntarily retire. When some employees challenge company practices, odds of winning a case aren’t great.

AARP

Recognizing that by 2016, 33.5% of the workforce will be 50 years or older, AARP started doing research and published the AARP's Best Employers for Workers Over 50 list (AARP’s, 2009). The top five criteria most important to the selection of companies that make AARP’s Best Employers for Workers Over 50 List include: employee development opportunities, health benefits for employees and retirees, age of employer’s workforce, alternative work arrangements/time off, and retirement benefits and pension plans (AARP’s, 2009). The top 3 companies on the AARP’s Best Employers for Workers Over 50 list are Cornell University, First Horizon National Corporation, and National Institutes of Health (AARP’s, 2006). Employers who are recognized on this prestigious list cite that people young and old are important assets to their companies. The top 3 industries currently hiring older workers are health care, education and government. In the health care field over the next 10 years the personal and homecare aids jobs will grow around 50.7%. Also in the educational field, over the next 10 years there will be an increase of 22.8% of secondary education jobs and currently only 2.4% of education workers over the age of 55 are unemployed (Brandon, 2009).

Implications/Analysis Concerning Age Discrimination

Age discrimination can happen to especially older employees. Below are three cases that show the implications of age discrimination. Three of these cases have to do with older employees being let go. The first case is about an elderly woman who was let go from her job from what she thought was budget cuts, but in reality it was age discrimination. Diana Schleich was working as a secretary in the Human Resources department for the city of North Lauderdale, a position she held for more than 10 years, when she was fired in 2005. The city had told Schleich that her job would be merged with a receptionist’s job. After a month long wait Schleich was informed that the receptionist would keep her same job while Schleich’s position was terminated immediately. Schleich applied for another opening in the Human Resources department, but a 28-year-old was chosen instead of her (Figuroa, 2009). Diana Schleich ended up having to move out of her home and live with her adult son because she could not afford to live in her current home anymore without a job (Figuroa, 2009).

Over the past 10 years the amount of age discrimination complaints has increased by 21 percent. Also of the 11.1 million people unemployed right now 1.4 million of them are over the age of 55 (Figuroa, 2009). After Schleich’s complaint was filed in 2005, the complaint was resubmitted in 2009 when Schleich was forced to move in with her adult son. The jury awarded her $75,000 in damages, which is not much considering all of her benefits and that she was paid $36,000 annually when she was working for North Lauderdale (Figuroa, 2009). Since being fired, when she was 62, Schleich has found a new job working for St. Lucie County. The job she now holds pays less and does not let her use her experience and knowledge that she gained from working for North Lauderdale for 10 years (Figuroa, 2009).

There was another case in Boston that involved an older employee. Virginia DiIorio was 59 when she was fired from her Vice President position at a local country club. DiIorio was the V.P. of sales for the

Willow Bend Country Club and was fired along with 12 other employees that were over the age of 50 (State, 2009). After firing everyone over the age of 50 the manager of the country club said he was making way for “younger blood” (State, 2009). DiIorio filed a discrimination complaint and both her and her husband suffered the consequences when they were no longer allowed to set foot on the country club property. Due to her embarrassment from being banned from the country club and the obvious age discrimination DiIorio settled for $200,000 in emotional distress damages, her $62,000 salary from the date of her layoff until she turns 65, and an additional yearly amount equal to half of her commissions in 2005 (State, 2009).

The third case of older workers being discriminated against comes from a well known company. Allstate fired 90 workers over the age of 40 in a program they call the Preparing for the Future Reorganization Program. All of the employees that suffered from this “reorganization” sued Allstate for discrimination. Allstate ended up settling out of court with the 90 employees that were let go for 4.5 million dollars (Daniel Hays, 2009). A representative for the group of fired employees stated that the amount of money was nominal and would only amount to $50,000 per person. The amount of money is extremely low for a case like this especially because Allstate was clear because age was the determining factor for the termination. Allstate also settled with two other employees who filed for age discrimination in 2007 for around $250,000 (Daniel Hays, 2009)

This case is a good example of how age discrimination should not be handled and how sometimes it is not viewed as important as it should be. Allstate got away with a big violation and should have to paid more than just $50,000 a person. Allstate is taking measures, however, to prevent further discrimination by providing training for managers, posting notices, and monitoring for further age discrimination in the workplace (Daniel Hays, 2009).

OBESITY AND DISCRIMINATION IN THE WORKPLACE

A substantial proportion of the American public is overweight. Overweight individuals are frequently the victims of pervasive discrimination, particularly in the area of employment. Over 64% of America is overweight and the number is increasing every year by a staggering amount. According to the Center for Disease Control (CDC) 44 million Americans are obese. That is one in five people that are obese. The scariest part about that statistic is that the number of people who are obese skyrocketed at a rate of 7% every year since 1991. The amount of medical care costs for an obese person is around $ 620 compared to non-obese persons (Obesity in America, 2004). According to CDC cost of treating soared to around 150 billion in 2008 and the cost doubled over a decade (WSJ, July 28, 2009). The cost was 74 billion in 1998. Obesity is a big problem because of injury claims, healthcare costs and absenteeism of obese workers. This can lead to discrimination of overweight workers. Obese people are stereotyped and often discriminated against in the workplace, although anti-discrimination laws for obese people are beginning to come into existence. Current research has shown that obese employees tend to result in higher costs for employers because of higher absenteeism rates, more medical claims, and lower productivity rates. Obesity has become a global problem. According to the WHO (World Health Organization, October 2009), more people worldwide now die from being overweight and obese than from being underweight. The WHO report states that 1.6 billion overweight or obese people in the world and 2.5million deaths are attributable to obesity. . Obesity costs over 39 million lost workdays as well as 63 million trips to the doctors. Obesity costs U.S businesses around 13 million dollars (Obesity in America, 2004). Obese people who had BMI’s of over 40 had the highest number of lost work days (USA Today, 2007). John Hopkins study had results similar to the Duke study. According to the John Hopkins study 29% (percent) of the 7690 workers included in the study were injured at least once and 85% (percent) of the injured workers were classified as obese (Obese Workers, Associated Content, 2007)

There is no universally accepted measure of Obesity, but the most common measure is an individual’s Body Mass Index (BMI). BMI is measured by taking weight/height^2 (kg/m^2). The following chart is the most commonly accepted BMI equivalencies:

WEIGHT lbs	100	105	110	115	120	125	130	135	140	145	150	155	160	165	170	175	180	185	190	195	200	205	210	215
kgs	45.5	47.7	50.0	52.3	54.5	56.8	59.1	61.4	63.6	65.9	68.2	70.5	72.7	75.0	77.3	79.5	81.8	84.1	86.4	88.6	90.9	93.2	95.5	97.7
HEIGHT in/cm	Underweight					Healthy					Overweight					Obese				Extremely obese				
5'0" - 152.4	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42
5'1" - 154.9	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	36	37	38	39	40
5'2" - 157.4	18	19	20	21	22	22	23	24	25	26	27	28	29	30	31	32	33	33	34	35	36	37	38	39
5'3" - 160.0	17	18	19	20	21	22	23	24	24	25	26	27	28	29	30	31	32	32	33	34	35	36	37	38
5'4" - 162.5	17	18	18	19	20	21	22	23	24	24	25	26	27	28	29	30	31	31	32	33	34	35	36	37
5'5" - 165.1	16	17	18	19	20	20	21	22	23	24	25	25	26	27	28	29	30	30	31	32	33	34	35	35
5'6" - 167.6	16	17	17	18	19	20	21	21	22	23	24	25	25	26	27	28	29	29	30	31	32	33	34	34
5'7" - 170.1	15	16	17	18	18	19	20	21	22	22	23	24	25	25	26	27	28	29	29	30	31	32	33	33
5'8" - 172.7	15	16	16	17	18	19	19	20	21	22	22	23	24	25	25	26	27	28	28	29	30	31	32	32
5'9" - 175.2	14	15	16	17	17	18	19	20	20	21	22	22	23	24	25	25	26	27	28	28	29	30	31	31
5'10" - 177.8	14	15	15	16	17	18	18	19	20	20	21	22	23	23	24	25	25	26	27	28	28	29	30	30
5'11" - 180.3	14	14	15	16	16	17	18	18	19	20	21	21	22	23	23	24	25	25	26	27	28	28	29	30
6'0" - 182.8	13	14	14	15	16	17	17	18	19	19	20	21	21	22	23	23	24	25	25	26	27	27	28	29
6'1" - 185.4	13	13	14	15	15	16	17	17	18	19	19	20	21	21	22	23	23	24	25	25	26	27	27	28
6'2" - 187.9	12	13	14	14	15	16	16	17	18	18	19	19	20	21	21	22	23	23	24	25	25	26	27	27
6'3" - 190.5	12	13	13	14	15	15	16	16	17	18	18	19	20	20	21	21	22	23	23	24	25	25	26	26
6'4" - 193.0	12	12	13	14	14	15	15	16	17	17	18	18	19	20	20	21	22	22	23	23	24	25	25	26

(Boston Medical Center 2007)

How to Calculate Body Mass Index (BMI)?

To calculate BMI, one must divide one's weight in pounds by height in inches squared. The n multiple that answers by 703. Multiple your height in inches by itself(68 times 68, if you are 5'8"(68 inches) gives you 4,624, yields.04 The next step is to multiply that number by 703 to arrive at a BMI of 28. For people at home with metric measures, the BMI is weight in kilograms divided by height ibn meters squared. One can also get one's BMI calculated at nhlbisuoort.com/bmi. BMI provides an estimate of how much of your weight is muscle and bone and how much is fat. A normal BMI is 18.5 to 24.9; 25 to 29.9 is overweight; 30 and above is obese.BMI is a better health gauge than weight alone. But BMI is far from perfect. Heavily muscled individuals end up classified as obese. BMI is not reliable for people than 75. At that age much muscle tissue has shriveled and these people are classified as normal when their body fat is higher than it should be. Waist measurement, taken with a cloth tape measure, is another way to ascertain health risk. A man's waist should be equal to or less than 40 inches (102cm); a woman's 35 inches or less (88cm).

Hesitations in Hiring

There are many reasons why employers are hesitant to higher overweight workers. The first of these hesitations is a decrease in worker productivity. Many studies have concluded that companies who employ overweight workers lose money due to a decrease in production. This is because "overweight workers are slower and less efficient than their slimmer counter parts-costing their employers and average of $1800/- a year (Harper, 2008) Companies that employ overweight workers risk the increasing cost of insurance. In 2004 health care cost was around 12 percent of the budget and now it has risen to more than 18 percent. A New York-based Insurance Information Institute reported that because of obesity, rate for health insurance, life insurance, disability insurance, workers compensation liability insurance and excess casualty insurance are all on the rise (Merx, 2004). Joyce reported that in 2004 total costs of obesity to U.S companies was around $13 billion annually and there was also 13 percent increase in health care premiums (Joyce, 2004). And according to CDC (Center for Disease Control) cost of treating soared to around 150 billion in 2008 and the cost doubled over a decade. The cost was 74 billion in 1998(WSJ, July 28, 2009). **Wages** can be affected by weight discrimination. A study showed that overweight women make 24 percent less than normal size women and moderately obese make 6 percent less (Kirstein, 2002). Airline Industry weight regulations for flight attendants have posed problems for employees above average weight. In *Tudyman v. Southwest Airlines,* a flight attendant was terminated and his reinstatement was denied because weight exceeded airline requirements (Garcia J, Hofstra Labor Law J. 1995). Courts have accepted airline weight restrictions. We can cite many cases to support our thesis. McDuffy Vs Interstate Distributor Company(2004), Cook Vs Rhode Island Department of Mental Health(1993), Butterfield Vs New York State, EEOC Vs Watkins Motor Case, Pan Am Flight Attendants Vs Delta Air Lines

Obesity in the Workplace

Obesity in the workplace is still increasing at a fast pace. In fact, it's predicted that by 2015 obesity will account for forty percent of the American working population (Gabel, 2009). A study done from 1990 that dealt with the BMI (Body Mass Index) and the body fat percentage had smaller numbers than the same study performed in 2000. Professor G. Harbin from the University of Kansas, along with his former colleagues, found that the increase in the percent of body fat with employees was due to the lack of fitness within the workforce. If employers were more willing to reward employees for healthy behavior the obesity rate would not be as high (obesity measurements).

Impact of Obesity

The above cases indicate the impact of obesity on business. Many employers feel that obesity is becoming a serious problem. Obesity impacts productivity, which is measured by days, missed at work due to illness. Lost productivity may be several times greater than the medical costs associated with obesity. In addition, being present but working at a reduced rate may account for a larger portion of losses than being absent from work. Overweight workers cost more. Obese employees had twice the rate of workers' compensation claims as their fit-coworkers. A Duke University study found that overweight workers were more likely to have claims involving injuries to the back, wrist, arm, neck, shoulder, hip, knee and foot compared to normal workers. Obese workers had 13 times more lost work days injuries. (Fox, 2008). The CDC (Center for Disease Control) found that obesity costs around 75(seventy five billion dollars annually in health care cost, disability, absenteeism and lost productivity. Businesses paid 8% more in health care claims due to overweight and obesity prior to 2007(National Business Group on Health, 2007). The government assumes that it costs almost $117 billion dollars a year in health costs and obesity leads to about 300,000 deaths a year. Obesity costs over 39 million lost workdays as well as 63 million trips to the doctors. Obesity costs U.S businesses around 13 million dollars (Obesity in America, 2004). Obese people who had BMI's of over 40 had the highest number of lost work days (USA Today, 2007). John Hopkins study had results similar to the Duke study. According to the John Hopkins study 29% (percent) of the 7690 workers included in the study were injured at least once and 85% (percent) of the injured workers were classified as obese (Obese Workers, Associated Content, 2007). Research has shown stereotypes about obese people include being emotionally impaired, lazy, and selfish, and that these stereotypes have influences on the judgments made regarding obese individuals. Others think that fat people are lazy, stupid, greedy, and "smelly" . "Discrimination against fat people seems to be the last fashionable form of overt prejudice people can safely indulge in without remorse".

CONCLUSION AND RECOMMENDATIONS

The heart of the issue of obesity discrimination is that the stereotypes held are potentially just beliefs; in many cases, the stereotypes do not hold true, and create a negative environment that is not contributing to assisting or encouraging the obese employee. It is not just the responsibility of the individual, but also of the community and the private and public sectors (Strumpf, 2004).It is becoming obvious that employers are going to have to start being proactive in their approach with their hiring practices on this subject or implement more weight management programs. Business management should become aware of the population trends of obesity and provide a better work atmosphere to their employees that feel stressed from obesity. They should also provide the training and education regarding discrimination and obesity to employees, especially in the hiring department. It is important interviewers do not fall into the habit of the Halo Error, which would impart negative characteristics to obese applicants, deserving or not (Townsend and Paul, 1998).

Recommendations for the topic of age discrimination may vary greatly depending on who the recommendation is given too. When reviewing the case studies the first recommendation for managers of firms that are worried their firms are engaging in this practice is to review the process with their people in charge of hiring and firing. Managers need to make it clear the potential liabilities their firms face if it's shown that they are discriminating based on age. It needs to be clear to those hiring and firing that if they act with bias, it will potentially greatly hurt the company.

Managers of firms should also periodically hold a review of the actions of those in charge of hiring and firing to attempt to detect patterns of discrimination. This could be done through statistical reviews of ages. If outlying factors are potentially confounding the statistics a manager could personally interview those in charge of hiring and firing. A manager could also potentially devise a test to issue to those in charge of hiring and firing to see if they display any bias on the test. If the company can detect that a person is acting with biasness, they can potentially correct the situation before it becomes a legal matter and becomes costly to the company. Outside of managers in firms, managers in the United States could also take further action. The United States Government should pass more legislation protecting the rights of workers based on age. With more attention on the problem it would promote employers to review cases for hiring and firing more carefully before following through with actions so as to eliminate age bias and running afoul of laws. New legislation could potentially protect all workers regardless of age. If there is any bias based on age or stereotyping of an age group found to have affected the hiring or firing of a person, a firm could be punished in court.

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