

New york state and federal protection laws research paper examples

[Health & Medicine](#), [Obesity](#)



Obesity is a health condition, or more of a problem, associated with a person being very fat or corpulence. It is a condition that results due to over eating. Specifically, it comes about on account of excess consumption of junk food with high proteins contents as well as lack of proper exercise. A considerably big percentage of American adults are obese due to the luxurious life they enjoy. According to many people, obese people tends to look very slow in whatever they do hence the assumption that they are lazy, lacking self-discipline, out of control and incapable of working productively (Paul, Terrance and McGrath, 1988). Consequently, many employers are biased against overweight workers. Even if their papers show sufficient qualifications for the purpose, employers are more inclined to deny them the opportunity or even promotions. They rest their argument on a cornerstone of mere conjecture. The question remains; isn't this illegal?

Funny enough, in the federal and New York State laws, there is no any single law that exists to interdict and protect the obese against prejudice and discrimination. Thence the obese are left out to fight their battles against employers, coworkers or public harassment alone. Weight protected has been a debatable motion for a long period of time. However, there are several ways that might protect the overweight from such salaciousness and obscenity.

Plaintiffs have filed charges under the Americans with Disabilities Act (ADA). Though with minimal chances of winning. This is because it is difficult to sum up all circumstances that resulted to the Plaintiff's state of obesity and how define whether the condition qualifies to be disability. The courts and the U. S. Equal Employment Opportunity Commission (EEOC) only acknowledge a

state referred to as Morbid Obesity. According to Americans with Disabilities Act (ADA), disability is a mental constipation or physical shortcoming that considerably demarcations someone from undertaking the basic life natural processes. One is considered morbidly obese if he or she bare more than forty percent body fat (Paul, Terrance and McGrath, 1988).

The other shot that the discriminated obese have is the right to medical attention for a condition such as blood pressure and arrhythmia, which are related to their weight. This is possible only if there is a good justification from their doctors. They are entitled to a twelve weeks intermediate relief from work also knows as family and medical Leave. Bullying, Harassment and Appearance cynical such as dressing are not protected. They become u own problem to go down with. Bottom line is unless you are obese and sick at the same time, you are completely disenfranchised.

There are many different types of prescribed medication that may possible have miscellaneous side effects to the users. On certain occasions, employees on such prescriptions would depict different associated behavioral changes and deportment such as drowsiness, tiredness, mood swings, irritability, and restlessness and fatigue (Patrick and James, 2004). All these in one way or the other are disruptive to the normal working performance, procedures and protocol.

There are several federal laws that protect the individuals who are qualified to perform their jobs efficiently but are draw back by genuine medical circumstances. Since these are natural occurring preclusion and out of control, it is considered as a disability and plaintiffs can file charges against discriminations under title I and title V as amended by the Americans with

Disabilities Act of 1990,

According to this civil right act, as long as the employee can perform the duties of the job expeditiously, the employer does not have the right to demand information about the nature the person's severity of disability. It is illegal to require an employee to take a medical examination based on personal doubts during recruitment. It can only be legal if only the examination is compulsory to and all entering employees for that job category.

Every citizen of United States of America is entitled and enjoys to freedom of worship (John and Buckley, 2013). Many religious which sincerely uphold the society ethical and moral values have existed in American history. Such organizations includes; Christianity, Islamic, Buddhism, Judaism and Hinduism. Under the federal law, " Title VII Civil Rights Act of 1964", the New York State protects employees from religious discrimination and harassment. Although simple teasing and casual thoughtless or inconsiderate comments are not protected, the nation is highly against religions prejudice at workplaces in the prospects of employment, firing, benefits promotions favoritism and formal address.

The employee is entitled to the right of personal space and responsibilities based on his moral beliefs and practices. Such ethical and moral principles which require accommodation at workplaces are dressing mode e. g. head coverings in Islamic, hairstyles and beard cuts, worshiping hours, religion holidays and seasons as well as observing individuals respect and reputations. An employer, regardless of how much strong feelings he or she bares against or towards certain faith, he or she cannot imperil or threaten

an employee to become a participant or leave a religious activity (Patrick and James, 2004). It is an independent nation after all. Who doesn't want to live a life of free will?

Nevertheless, if proven and rationally justified by the authorities that accommodating an employee's religious beliefs or practices would result to unwarranted drawbacks and hindrances, an employer hold the right to deny to offer an employment to that person and termination of working is just. This is because encumbrances may be costly, compromise company outputs efficiency and overworking the other co-workers.

References

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