

Nearly One-Half of Americans Polled Believe Obese Workers Are Discriminated Against on the Job

Miller Canfield, Employment Law Alliance survey reflects attitudes toward working overweight

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Nearly one-half (47 percent) of American workers believe that workers who are overweight are being discriminated against in the U.S. workplace by their co-workers and supervisors, according to the latest "America At Work" public opinion survey conducted by the Employment Law Alliance (ELA), the world's largest network of employment and labor lawyers to which Miller, Canfield, Paddock and Stone, P.L.C. serves as the state representative.

"Michigan has long protected employees against discrimination on the basis of weight, but we now see that this is a national problem and that employees believe that such discrimination continues to exist," explained Megan P. Norris, member of ELA and a principal at Miller Canfield.

The survey is among the first to focus on "the perception and predicament" of America's working overweight. Significant findings of the national telephone survey conducted during the week of October 20 include:

- 47% believe obese workers suffer discrimination in the workplace
- 32% think these workers are less likely to be respected and taken seriously in the workplace
- 31% say the workers deserve special government protection against weight-based discrimination
- 30% feel these overweight workers are less likely to be hired or promoted
- 11% who describe themselves as overweight or obese say they have been the victim of weight-related discrimination in either their current or former workplace

Furthermore, poll results show that attitudes are divided when it comes to the issue of the government providing special legal protections for the overweight worker. While 38% of those polled who consider themselves overweight said they support special federal protections, that view was shared by only 26% of the respondents who describe themselves as standard or underweight.

Norris noted that Michigan's Elliott-Larsen Civil Rights Act currently prohibits discrimination on the basis of weight in hiring, discipline, termination, and other conditions of employment.

"We know from medical studies that obesity is at crisis proportions in America as a health issue; however, many employers do not realize that it is also an employment issue," said Norris. "Employers need to take the same steps they have taken against other forms of discrimination in the workplace, such as sex and race discrimination – putting in place

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policies, training employees, preventing harassment – to make sure that weight discrimination does not occur."

In addition, employees throughout the U.S. are seeing their health care costs dramatically rising in part due to the growing epidemic of obesity. The number of employee dietary and fitness programs designed to lower health care costs, decrease absenteeism and increase productivity and morale are rising. In fact, according to Norris, Miller Canfield recently implemented a health and fitness program to benefit its employees.

The Employment Law Alliance is the world's largest integrated, global practice network comprised of premier, independent law firms distinguished for their practice in employment and labor law. Miller Canfield is the ELA representative for the state of Michigan. For further information, including access to the survey charts and graphs, visit www.employmentlawalliance.com. The "America at Work" survey was designed and conducted by Dr. Ted Reed of the Media, Pennsylvania-based marketing research firm of Reed, Haldy, Macintosh & Associates.

The 300-attorney law firm of Miller, Canfield, Paddock and Stone, P.L.C. was established in Detroit in 1852 and has offices in Ann Arbor, Detroit, Grand Rapids, Howell, Kalamazoo, Lansing, Monroe, and Troy, Michigan. Other offices are located in New York City, Pensacola, Florida, Washington, D.C., Windsor, Ontario, and in Gdynia, Katowice, and Warsaw, Poland. Visit www.millercanfield.com.