

## DISCRIMINATION WITHIN UNEMPLOYMENT CONTINUES DESPITE THE FAIR EMPLOYMENT OPPORTUNITY ACT



Recently, CareerBuilder.com has been posting ads that discriminate against job applicants. The Senators called on them to change their policies and practices. This fact alone proves that unemployment discrimination is still evident despite the introduction of the Fair Employment Opportunity Act. A new example of job listings that exclude the unemployed from work opportunities was unveiled recently by the National Employment Law Project. The example of the job listings underscored the discrimination and challenges that persist for Americans trying to market themselves to reenter the job market. CareerBuilder.com was recently sent a letter by Senators Sherrod Brown (D-OH), Richard Blumenthal (D-CT) and Kirsten Gillibrand (D-NY) and it was addressed to the company's CEO. The ads found on the site are not up to standard and the Senators are asking the website to prohibit companies from posting ads that discriminate against applicants based on employment status. Senate Majority Leader Harry Reid (D-NV) told a local television station that "This type of legislation is critically needed in our state given the thousands of hard-working Nevadans who are out of work." This statement follows the Senators introducing the Fair Employment Opportunity Act to stop the discrimination practices. *"Employers and firms continue to post ads that refuse to even consider the unemployed, regardless of their qualifications. It's unfair to workers and bad for the economy. We need to be putting Americans back to work, not stigmatizing and prolonging their unemployment,"* said Christine Owens, executive director of the National Employment Law Project. The following are sample application requirements from recent ads on CareerBuilder.com: **Pharma Sales Rep, LaCrosse, WI:** CURRENTLY EMPLOYED MEDICAL SALES **Restaurant Manager, Atlanta, GA:** ONLY CANDIDATES WHO ARE CURRENTLY EMPLOYED AS A SALARIED RESTAURANT MANAGER OR JUST RECENTLY UNEMPLOYED (1-4 MONTHS) WILL BE CONSIDERED! **Restaurant Manager, St. Louis, MO:** MUST BE CURRENTLY EMPLOYED **Medical Staff Coordinator, HCA Hospitals, Dallas, TX:** Must be currently employed in a medical services profession for at least the past 12 consecutive months. **Executive Assistant/Legal Secretary, San Francisco, CA:** The candidate must...be currently employed. **Restaurant Manager, Queens & Long Island, NY:** Must be currently employed or not out of the restaurant business for more than 3 months. Other job posting sites, like Indeed.com, announced that such ads would be blocked from job searches. Plus, last month approximately 250,000 Americans signed and sent petitions to Congress opposing the practices of companies who discriminate against the unemployed. USAction, Change.org, ColorofChange.org and CREDO Action helped gather the petition signatures. What the Fair Employment Opportunity Act would basically do is: a) *Refuse to consider for employment or refuse to offer employment to an individual because he/she is unemployed;* b) *Include in any job advertisement or posting a provision that unemployed persons will not be considered or hired, or* c) *Direct or request that an employment agency take into account an individual's unemployed status in screening or referring applicants for employment.* In the process of obtaining a job, employers will still have the right to inquire about the applicant's experience and qualifications.