**Chapter 24 Situations**

Ian Paisley immigrated to this country when he was thirty years old. He has a strong Scottish accent. Ian has a degree in broadcast engineering. When he applied for a job as a sportscaster, he was told that people with foreign accents were not hired there. Is Ian a victim of unjustified discrimination? Explain your answer.

*Ian cannot be discriminated against because of his national origin. He should be hired unless he cannot speak English, since that would be a condition of employment.*

Tatia applied for a position as a gas station attendant. The owner of the station had two other employees who worked the day shifts. She was told that no women were hired for the night shift because it was too dangerous. Can the owner legally deny Tatia employment for this reason? Why or why not?

*Federal anti‐discrimination laws do not apply to this situation because there are less than 15 employees.*

Zaken was hired as a sales manager for Bonnie Boerker & Company, a clothing design company. Shortly after being hired, Zaken became pregnant. Boerker learned of Zaken’s pregnancy and became very angry and fired her, stating that Zaken was not working up to appropriate standards. Prior to this, Boerker had been more than satisfied with Zaken’s performance. Zaken found out that she was hired after Bonnie Boerker fired Robin Weinberg, who had been fired after she became pregnant. Zaken sued, alleging pregnancy discrimination. Boerker defended on the grounds that of the 24 female employees working in her showroom, 5 had become pregnant but had not been fired, and attempted to show that there were other reasons for Zaken’s and Weinberg’s termination. Will Zaken likely win her case against Boerker? Explain. [Zakan v. Boerker, 964 F.2d 1319 (2d Cir. 1992)]

*Yes, Zaken will win. She won because the court was convinced that since Boerker had been more than satisfied with Zaken’s performance up until the time she learned Zaken was pregnant, and the same thing had happened the same way with the Weinberg, pregnancy was the basis for Boerker’s decision, and that is illegal*