
Obesity Inclusion As A Disability

Current Law Regarding Obesity

Obesity has become one of the major epidemiological challenges that is facing the world today. The term obesity refers to excess body fat accumulation that may impair health. An individual is considered obese when one's body fat is more than twenty percent of average weight, which is determined using the BMI index. Extreme morbidity can lead to decline in quality of life, lead to cardiovascular diseases and reduce life expectancy. Disability, as defined by the World Health Organization, include impairment, activity limitation and participation restriction which have been reported by with severe obesity. Participation restriction is an objective limitation encountered and imposed on the person due to cultural attitudes of society towards disability. Activity limitation is the inability of an individual to complete a task as result of their disability. Lastly, impairment is an issue in body capacity or structure. Certain provinces in Canada have acknowledged obesity as a disability, while others argue against it. Obesity may or may not be characterized as a disability as every individual province has its own requirements of what is defined as a disability. Columbia human rights ensure individuals with a disability are free from discrimination. However, there is no set definition of disability subsequently, the BC human rights council has announced to adopt a more extensive strategy to ensure obesity as a disability. Obesity may limit or prevent movement if an individual's body weight surpasses a certain level, putting strain on joints, breathing, heart and lung function. People who are obese face the same struggles as those who are disabled

Implementation of the Americans with disability act (ADA), states there is yet a confounding discussion on whether obesity is to be incorporated under the Disability Act. As of now, severe obesity is ensured under the ADA. The Equal Employment Opportunity Commission (EEOC) likewise believes obesity to be a physical impedance just under certain conditions. Under American law, the court of appeal declared obesity is not a disability apart from the obesity stemming from an illness. In any case, a few courts have defied this issue, with a dominant part of them have wound up inferring that obesity that isn't because of physiological issue ought not be secured under the ADA. Despite the many negating perspectives on the issue, the ADA as of now has in it, serious obesity as a secured class. Under the Act, all businesses and organizations are required to provide reasonable accommodations to employees who are obese. Individuals who believe obesity is caused by a lack of self-discipline tend to blame obese people for their current condition and stigmatize them accordingly. Individuals with a physical disability fall outside the range of what is considered a normative or ordinary, thus impacting their social identity and complicating interactions with able-bodied persons (Goffman, 1963).

Different Arguments Regarding the Issue

The main purpose behind individuals demanding that obesity should be protected under law is to protect one from facing discrimination by employers. Nearly forty percent of overweight individuals experience bias from employers and earn six percent less than their non-obese colleagues. Roughly fifty percent of individuals are dismissed from their position because of being obese. However, some people argue the onus should shift to employers to hire individual

solely based on their ability to complete the task and not based on their appearances. Individuals who believe obesity is caused by lack of self-discipline tend to blame obese people for their current condition and stigmatize them accordingly. Reasonable accommodation can be defined as any changes that can be made to the workplace that will allow a qualified candidate with a disability to not only participate in the application process but also be able to perform appropriate job functions (Roehling, 2017). Reasonable accommodation comes in various forms such as making existing facilities readily accessible to employees with obesity; special chairs that can hold their weight; allowing them to sit rather than stand while serving customers; in the case of a high story building, these employees should be positioned at the lower floors to avoid excess staircase climbing; building an elevator or a lift; moving cubicle walls to create enough space; making uniforms that will accommodate their weight (US District Court for the District of Rhode Island, 2015). Implementing these recommendations will promote health and fitness and limit discrimination endured by obese people. Employers should provide effective programs to engage other employees and raise awareness. A federal court in US asserted “morbid obesity is a disabling impairment, noting morbid obesity is a physiological disorder involving dysfunction of both the metabolic system and neurological appetite suppressing the signal system, capable of causing adverse effects within the musculoskeletal, respiratory and cardiovascular system” (Moorman, Shemek, JoAnn, 2005).

References

1. Luck-Sikorski, C., & Riedel-Heller, S. (2017). Obesity as a disability - A representative survey of individuals with obesity from Germany. *Disability and Health Journal*, 10(1), 152-156.