

2-7-2014

A Nation at Waste: The long-term unemployed and job discrimination

Hina Shah

Golden Gate University School of Law, hshah@ggu.edu

Follow this and additional works at: <http://digitalcommons.law.ggu.edu/pubs>



Part of the [Labor and Employment Law Commons](#)

Recommended Citation

Shah, Hina, "A Nation at Waste: The long-term unemployed and job discrimination" (2014). *Publications*. Paper 617.
<http://digitalcommons.law.ggu.edu/pubs/617>

This Blog Post is brought to you for free and open access by the Faculty Scholarship at GGU Law Digital Commons. It has been accepted for inclusion in Publications by an authorized administrator of GGU Law Digital Commons. For more information, please contact jfischer@ggu.edu.

CELA VOICE

PROMOTING FAIRNESS AND EQUALITY IN THE
WORKPLACE

CELA VOICE WRITERS

PUBLISHED ARTICLES

ABOUT CELA VOICE

Hina Shah

A Nation at Waste: The long-term unemployed and job discrimination

« [Let's make 2014 the year in which all American workers are guaranteed access to paid sick leave](#)

A Nation at Waste: The long-term unemployed and job discrimination

7 Feb 2014 | Hina Shah

Tags: Unemployment



By [Hina Shah](#)

President Obama in his State of the Union speech was upbeat as he pronounced that we had the lowest unemployment rate in over five years. But this optimistic forecast glosses over the epidemic of the long-term unemployed. There are 3.9 million Americans who have been unemployed 27 weeks or longer and 2.6 million who have been unemployed for 52 weeks or longer, according to the National Employment Law Project's [report](#).

Stigmatization and discrimination against the long-term unemployed creates a major barrier to ending this epidemic. Rand Ghayad, a doctoral student of economics, conducted an [experiment](#) where 4800 computer-generated resumes of fictitious workers were sent out with identical credentials with varying unemployment lengths and industry experience. Workers who reported being unemployed for six months or more were almost never contacted. "It isn't that firms aren't finding the right workers," Ghayad said, "but that employers are [screening out](#) the long-term unemployed." This discrimination disproportionately impacts workers who are non-white, unmarried, disabled, impoverished and less educated – the [groups](#) who are over-represented among the long-term unemployed.

The President is on the right track when he asked business CEOs to take the pledge to not discriminate against the long-term unemployed and issued a [directive](#) to federal agencies not to screen out long-term unemployed workers from consideration for openings. But even with these measures, we face a real crisis of creating a [permanent class of jobless Americans](#), as Congress [gridlocks](#) over extending benefits to the long-term unemployed. In a recent [survey](#), 25 percent of the long-term unemployed reported that they did not have money for food and 10 percent have lost their home or apartment because they could not pay their rent or mortgage. Economists all agree that long-term unemployment slows overall economic growth and hurts the nation as a whole. Harder to quantify, but still real, is the toll that chronic unemployment takes on a person's confidence and sense of

Subscribe to CELA VOICE

Enter your email address to subscribe to this blog and receive notifications of new posts by email.

Recent Posts

- > [A Nation at Waste: The long-term unemployed and job discrimination](#)
- > [Let's make 2014 the year in which all American workers are guaranteed access to paid sick leave](#)
- > [U.S. Supreme Court defines the meaning of the phrase "changing clothes"](#)
- > [U.S. lags behind western democracies in enacting anti-workplace bullying laws despite growing problem](#)
- > [5 New Year's resolutions for California employers](#)

CELA VOICE Writers

- > Afshin Mozaffari
- > Anne Richardson
- > CELA VOICE
- > Charlotte Fishman, Co-Chair
- > Christian Schreiber
- > Curt Surls
- > Daniel Velton
- > Elizabeth Kristen
- > Eugene Lee
- > Hina Shah
- > Jean Hyams, Co-Chair
- > Joan Herrington
- > Kevin Kish
- > Lisa Peck
- > Mariko Yoshihara, Director
- > Mark Kleiman
- > Michael Marsh

dignity as well as their [skill level](#).

We must do more to insure that the long-term unemployed are not abandoned on the road to economic recovery. The National Employment Law Project recently issued nine [recommendations](#) to address long-term unemployment. These are bold recommendations that call on the President, Congress and the business community to act to create new jobs and end the practice of discriminating against long-term unemployed individuals.

It is time to look again at the Roosevelt New Deal [programs](#), like the Works Progress Administration that put 8.5 million Americans back to work building bridges, roads, public parks and strengthening America's infrastructure. If we want to avoid a permanent subclass of citizens living in the shadow of our economy, the President must embrace a bolder path.



About Hina Shah

Hina B. Shah is an Associate Professor of Law and Co-Director at the Women's Employment Rights Clinic (WERC) of Golden Gate University School of Law, addressing employment and labor issues faced by low wage and immigrant workers.

[Web](#) | [More Posts \(2\)](#)

Share this:

- [LinkedIn 2](#)
- [Google +1](#)
- [Twitter 4](#)
- [Facebook 17](#)
- [Email](#)
- [Print](#)

Like this:



Be the first to like this.

Leave a Reply

Author (required)

Email (will not be published)(required)

Website

- [b](#)
- [i](#)
- [link](#)
- [b-quote](#)
- [code](#)
- [close tags](#)



28536563

Type the text

[Privacy & Terms](#)



Post Comment

- > [Monique Olivier](#)
- > [Nicolas Orihuela](#)
- > [Nicole Heeder](#)
- > [Ramit Mizrahi](#)
- > [Sandra Muñoz](#)
- > [Sarah Schlehr](#)
- > [Scott R. Ames](#)
- > [Sharon Vinick](#)
- > [Supreeta Sampath](#)
- > [Uncategorized](#)
- > [V. James DeSimone](#)
- > [Wendy Musell](#)

Tags

- Age Discrimination
- Americans with Disabilities Act
- Background Checks
- Breastfeeding at Work
- Disability Discrimination
- Discrimination
- Domestic Workers
- DREAM Act
- employment discrimination against veterans
- Employment Litigation
- Equal Pay
- Family Leave
- Family Responsibilities Discrimination
- Farmworkers
- Federal Courts
- FLSA
- Franchising and Employment Law
- Gender Discrimination
- Harassment
- Home Health Aides
- Injured Workers
- Labor History
- Legislation
- Living Wage
- Mandatory Arbitration
- Occupational Safety
- Overtime
- Paycards
- Personal Attendants
- Pregnancy Accommodation
- Privacy
- Race Discrimination
- Reasonable accommodations
- Retaliation
- Return to Work
- Sexual Harassment
- Sexual Orientation
- Supreme Court
- Undocumented Workers
- Unemployment
- Veterans employment rights
- Wage Theft
- Worker Misclassification
- Workplace Policies
- Workplace Violence

Opinion Disclaimer: The views and opinions expressed on this web site are solely those of the original authors. These views and opinions do not necessarily represent those of CELA or any other contributors to this site.

Legal Advice Disclaimer: CELA is an organization of lawyers who represent working people in the State of California. As an association, however, we do not represent