



## NAAFA Newsletter

Early Spring 2005

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**Chicago NAAFA Event:  
Health and Wellness  
Committee Meeting**

Sunday, March 20, 2005  
12:30 p.m. to 2:30 p.m.  
Lunch Meeting at the Rainforest  
Cafe  
Woodfield Mall  
Golf Rd. at Route 53  
(5 Woodfield Shopping Center)  
Schaumburg, IL 60173  
Sunday mall hours are from

**Greetings**

It's official! The 2005 NAAFA Convention will be in the San Francisco Bay Area, for the first time ever. Kudos to Heather Boyle for negotiating a great rate with the hotel. Read on for more info.

• **2005 NAAFA Convention: Big Summer Fun!**

The 2005 NAAFA convention will be held in the San Francisco Bay Area on August 10 to 14. Specifically, it will be at the [San Mateo Marriott](#), about 8 miles south of the



San Francisco airport. These dates are official, and we have signed the contract with the hotel, so start making your plans now.

Convention coordinator Heather Boyle was able to negotiate our lowest hotel rates in years: \$75/night plus tax for a deluxe room, or \$90/night for an executive suite. These rates are available from August 4th to the 15th, for those who want to spend some extra time in the area. Call 1-800-556-8972 and request the NAAFA room block, or go to [www.sanmateomarriott.com](http://www.sanmateomarriott.com) and use group code NAANAAA for the deluxe room or NAANAAB for the executive suite. If you have any trouble booking your room, please contact Heather at [NAAFA2005@aol.com](mailto:NAAFA2005@aol.com) for assistance.

We are seeking workshop presenters, speakers and books people want to promote. We are planning an Activism track as well as health information and movement from a Health at Every Size (HAES) perspective. Contact Frances White at [frances\\_white@naafa.org](mailto:frances_white@naafa.org) if you want to participate or have someone to suggest for the convention.

Pricing for the convention packages has not been firmed up yet, but keep checking at [www.bigsummerfun.com](http://www.bigsummerfun.com) for the latest updates.

• **Activism! NAAFA Protests Casino's Weight Control Policy**

11:00 a.m. to 6:00 p.m.  
Mall Phone: (847) 330-1537

Come out and enjoy a Sunday afternoon with [Chicago NAAFA](#). This event is sponsored by the new Chicago NAAFA Health and Wellness Committee. We will be looking for any volunteers who would like to co-chair this committee. We will have lunch at 12:30 p.m. and discuss the mission and goals of the Health and Wellness Committee as well as plan activities for 2005. After lunch at 2:30 p.m. join us for a Walk-Around-The-Mall for some joyous movement to explore the mall. Wear your comfy clothes and shoes.

Please RSVP by Friday, March 18, 2005 by calling the Chicago NAAFA hotline at (708) 802-0860.

### **New NAAFA Mailing Address**

Please make a note of our new mailing address:

P.O. Box 22510  
Oakland, CA 94609

:: [newsletter@naafa.org](mailto:newsletter@naafa.org)  
:: [www.naafa.org](http://www.naafa.org)

:: 415-265-6496

Oakland, CA - National Association to Advance Fat Acceptance (NAAFA) strongly condemns the new weight control policy set forth by the Borgata Hotel Casino in Atlantic City, New Jersey. The new policy states that cocktail servers and bartenders who gain more than 7% of their baseline weight (for a person of 130 pounds that would be 9 pounds) will be suspended until they lose the weight or be fired. This policy is a flagrant act of discrimination against people of size and particularly against women as this group is predominantly women.

Policies such as this are directly responsible for creating undue stress in the workplace, which can lead to a myriad of serious health risks such as eating disorders, anxiety disorders, elevated blood pressure and heart disease, gastrointestinal disorders and more.

NAAFA strongly urges individuals to take action by writing letters of protest to Borgata and their parent company, Boyd Gaming. Hit them where it will hurt the most, in their pocketbooks, by taking your business elsewhere until the Borgata is forced to reverse their policy. Cancel any existing reservations you have at any Boyd Gaming facility if at all possible and make certain that they know you are cancelling because of the new weight control policy at the Borgata.

Other properties owned by Boyd Gaming include the Barbary Coast, the Stardust, Sam's Town, California Hotel, Eldorado, Fremont, Gold Coast, Jokers Wild, Main Street Station, Southcoast and Suncoast Hotel and Casinos in Nevada. In Louisiana they own Delta Downs Race Track, Sam's Town Shreveport and Treasure Chest in New Orleans. Other properties include Sam's Town, Tunica in Mississippi, Par-A-Dice Hotel & Casino in Illinois and Blue Chip Hotel & Casino in Indiana as well as Vacations Hawaii.

You can send an electronic message to Boyd gaming and any of their properties at: [www.boydgaming.com](http://www.boydgaming.com), or, for greater impact, mail a letter to their corporate offices at 2950 Industrial Road, Las Vegas, NV 89109. Address letters to Robert L. Boughner, the Chief Executive Officer of Borgata Hotel Casino and Spa.

- **NAAFA Merit Scholarship 2005**

Award Amount: \$500  
Deadline Date: July 1, 2005  
(Scholarship winner to be announced at the National Convention in California.)

The NAAFA Merit Scholarship Essay Contest is open to NAAFA members (of at least 12 months) who are furthering their education at a community/junior college, college or university during the 2005/2006 school year.

Applicants must write a 700 to 1000 word essay on one of the following topics:

1. How NAAFA Has Changed My Life and Personal Education Goals
2. The Importance of Fat Acceptance in the Year 2005
3. Personal Fat Activism
4. Another fat related topic on approval

In addition to the \$500 merit scholarship awarded, the winner will also receive a **free membership renewal** to NAAFA for one year. Essays will be judged on relevance, creativity and clarity, as well as grammar, writing mechanics and structure.

Contact [Kara Brewer Allen](#) for more info.

#### • **Fitness Column: Where Do You Stand?**

**by Rochelle Rice, MA**

*President, In Fitness & In Health*

The USDA just released the new movement/exercise requirements for Americans. The report indicates that "90-minutes of exercise per day will produce weight loss." The question then becomes "How do I fit that into my life?"



If you have been a champion at yo-yo dieting or purchasing exercise equipment from infomercials that goes untouched week after week, then it is time to redefine where you stand and what you truly want in life. Passion can be the driving force.

When I ask people what they are passionate about, I often meet a blank stare. Passion? What is it? Where do I get it? What does it feel like? Sometimes the word is linked synonymously with sexuality, but trust me, there are many things and causes to be passionate about!

The word passion may feel like lifting a 100 pound free weight, so let's start slow. Take a moment and write down three things that make you happy. Where do you feel them in your body? Take your time and try and feel the excitement in your body as you think of these three things. Feel how it has shifted your body. If you can't think of anything that makes you happy today, rest, and come back to this at another time.

We all want to feel healthy, have a lot of energy and live a full life - but without passion and a sense of excitement from your body, your mind will find it difficult to kick into gear to hit your goals.

So, the government has once again issued this new set of guidelines for the American people. But have

they ever asked "What are you passionate about?" Perhaps that would shift the driving force that would link pleasure with your daily movement.

- **The Challenges of Succeeding in a Weight-Based Harassment/Discrimination Claim**

**by JaCina N. Stanton**

*Ms. Stanton is currently in her final year of law school and plans to practice law in Washington, D.C.*

Recent studies suggest employers view fat people as less competent, successful, and intelligent than their co-workers. Employers often relegate fat workers to second class status when promotions and raises arise. These and numerous other examples of discrimination serve as indicators that the struggle of fat Americans should be comparable to other minorities.

Most claims based on harassment or discrimination are brought under Title VII of the Civil Rights Act, which currently does not recognize overweight individuals as a protected class. Title VII makes it "an unlawful employment practice for an employer . . . to discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex, or national origin." The Equal Protection Clause of the Fourteenth Amendment also offers equal protection for protected groups, usually minorities, under the law.

To have a valid weight harassment or discrimination claim today, a claimant would have to choose one or more of the following courses of action: (1) file a federal claim under the Americans with Disabilities Act (ADA) or Rehabilitation Act; (2) file a claim under state or local law (3) file an Equal protection claim; (4) lobby politicians to recognize fat people as a protected class covered by federal law claims.

ADA/Rehabilitation Act Federal Disability Claim

Individual federal courts have held that harassment based on weight is actionable under the ADA and the Rehabilitation Act, and have analyzed such cases in accord with Title VII hostile work environment cases. Since only obese claimants usually succeed, overweight individuals have a more difficult time of using the ADA and Rehabilitation Act because they are not viewed as disabled. To be considered disabled under the ADA one must possess: (A) a physical or mental impairment substantially limiting one or more major life activities, (B) a record of the impairment, or (C) being regarded as having such an impairment. Viewing weight as a disability may be a double-edged sword because it makes weight an impairment, which it often is not.

Perhaps Greene v. SEC, Inc. best illustrates a successful weight harassment claim because the claimant was able to prevail under an obese disability

claim. Greene, considered morbidly obese by the court, sued his employer under the Florida Civil Rights Act and the ADA, which prohibits disability discrimination. The plaintiff alleged that his employer denied him a promotion because he was disabled by obesity, harassed, and discriminated against due to threats of demotion for failure to lose weight. His supervisor also forced him to purchase diet cookies while constantly deriding him about his weight.

In Underwood v. Trans World Airlines an overweight flight attendant, terminated because she exceeded the airline's weight guidelines, was not found to be obese by the court. She was found not to qualify as being disabled under the New York Human Rights Law or the ADA, because obesity is a disability, while being fat is not.

In Butterfield v. New York State, the plaintiff was a police officer who described numerous instances of weight-based harassment. Butterfield filed a successful claim under the ADA due to obesity after his co-workers placed laxatives in his beverage to induce weight loss.

#### State Law Claims

Some states have recognized weight discrimination and harassment as a recognizable claim. Michigan is currently the only state to recognize overweight individuals as a protected class. Local ordinances in California and Washington, D.C. allow personal appearance harassment claims. The Elliott-Larsen Civil Rights Act states that an employer "shall not . . . discriminate against an individual with respect to employment . . . because of religion, race, color, national origin, age, sex, height, weight, or marital status.

#### Equal Protection Clause

The Equal Protection Clause is a possible alternative, but has not been heavily tested as often as other federal and state statutes because fat people are not viewed as a protected class.

#### Lobbying for a Federal Claim

For a person to recover under Title VII, which is currently the most comprehensive discrimination statute, it should recognize weight-based forms of harassment and discrimination. Since most federal laws do not recognize weight-based harassment or discrimination and do not see fat people as a protected class, claims have often gone unrecognized. Due to the increased harassment of fat Americans, lobbying national politicians to add weight as a protected class, under certain conditions, should be the ultimate goal.

Succeeding in a claim for weight harassment or discrimination may seem a daunting challenge. However, if states, and ultimately the U.S. begin to follow the example of Michigan, perhaps millions of

harassed fat Americans will eventually have a plausible legal remedy.

- **In Memoriam: MaryAnn Valerio**

MaryAnn Valerio passed away on February 5th, 2005 from complications of Gillen Barre Syndrome. She was 54. She was formerly Co-Chairperson of the New Jersey NAAFA Chapter and has many friends who still are members. Her service to NAAFA and size acceptance is appreciated and she will be greatly missed by her friends and family.



- **Book Review: FAT - The Anthropology of an Obsession**

Book Edited by Don Kulick and Anne Meneley

Reviewed by Terri L. Weitze

The first question that comes to mind in reading this book is what is anthropology? In the introduction of *FAT*, we are told it is the study of human cultures. Anthropologists conduct their studies by living among the people they want to know about.

By observing and talking to people over a long period of time and in a wide range of contexts, they believe they will be better able to understand the people and their culture.



Sounds like a good idea. We who live in the fat community might enjoy some understanding from the non-fat world. If the anthropologists who contributed the essays that comprise the book *FAT* have come to such an understanding, I did not detect it from reading *FAT*. However, I do think I came to a better understanding of anthropologists. What I found most interesting in reading the essays in *FAT* that actually deal with being fat, it seemed that the anthropologists are subject to the same biases and prejudices regarding fat and fat people that are so prevalent in our society. What is interesting is that some of the anthropologists recognized these prejudices and admitted to them; most did not.

There are several chapters dealing with "fat" as a noun, i.e. lard and olive oil, rather than as an adjective. I didn't find these chapters very interesting. Anthropologists are supposed to study cultures, and while food is a major part of most cultures, I am more interested in the people.

I became frustrated with the fact that all of the authors felt that being fat was equivalent to being unhealthy. There was a real lack of understanding of

fat culture; the essays seemed to be about non-fat culture's attitude about fat people. Non-fat culture's attitude about fat people is something that the fat community is well educated in.

However, I must admit there were some interesting ideas in the book. The essay entitled "Porn", which deals with the concept of feeders and feedees was very interesting and I felt relatively non-judgmental. And while the essay on "Chasers" (i.e., chubby chasers), while containing some of the most biased writing concerning fat people and people who love them, did have one tidbit of wisdom concerning the power of the FA over those they admire.

There is one chapter written by a fat person about the fat community. Every other essay has a one word title - of course, that is not enough for the fat person. Her essay is titled "Pissed Off". It seems Allyson Mitchell is the only essayist in FAT who is not an anthropologist; in her bio she is described as a teacher of Feminism Activism and maximalist visual artist. Her essay is a view of fat culture from within - interesting, but again, a subject with which many fat people are already informed. While Ms. Mitchell's chapter has some great information in it about becoming a fat activist, I am not sure it is worth buying the whole book FAT to get that information. Allyson Mitchell does have a website at [www.AllysonMitchell.ca](http://www.AllysonMitchell.ca); however, when I tried to check it out it appeared to be very much a work in progress.

NAAFA, Inc. | P.O. Box 22510 | Oakland | CA | 94609