

Women's History

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Legal Age and Sex Discrimination

In the double discrimination case of *Jones v Manchester*, Ms. Jones, age 46, was denied consideration for a post as a career adviser at the University of Manchester because she did not meet the preferred age requirement of 25-35 with varied work experience.

She asserted the requirement process was indirectly discriminatory on grounds of sex. She alleged the relevant pool of possible applicants for comparison was of mature students aged 25 or above. Statistical evidence demonstrated that though the proportion of male mature students aged 25-29 was greater than that of female mature students, in the group of mature students aged 30 and over, the proportion of female mature students was greater.

Arguments demonstrated the gender/age imbalance included the "historical reason" that women, in general, were not offered opportunities in accordance with their abilities. Thus, they were unable to progress to levels of higher education equal to men.

Her argument included the "family reason" that assigns women in their early twenties to the role of having children, then because of their family commitments makes them unable to pursue a university degree until their children have reached, at least, school age. Ms. Jones was victorious. However, the decision was reversed in a higher court.

The U.S. Age Discrimination in Employment Act of 1967 generally prohibits employers from discriminating against workers or applicants forty years of age or over, and, specifically between the ages of forty and sixty-five.

A most memorable age and sex discrimination case in the United States of a female in a male-dominated industry (electronic journalism), is that of Christine Craft. In 1981, Ms. Craft was demoted from anchor to reporter by her bosses at KMBC-TV in Kansas City, Mo., because she was, "too old, too ugly, not deferential to men." Craft, then 37, sued for sexual discrimination and won...only to lose on appeal.