

The Asian Cuisine Chef

Drew O'Brian was a Chef de Cuisine at Hana West, an upscale Asian fusion restaurant in Honolulu, Hawaii. By age of 35, he had already acquired 20 years of restaurant experience. The son of Irish immigrants, Drew worked his way up from dishwasher to line cook while still in high school. After receiving his bachelor's degree in Finance, he worked for a banking institution for two years before returning to his first love, cooking. Drew quickly got a job with one of the world's authority of Asian cuisine and owner of the famous Hana restaurant. During his five years at Hana, Drew was able to work and live in Japan for two year where he quickly picked up the language and adapted to its culture.

Tired of the rigorous of being a chef, Drew was eager to find a new career path and was excited to find a posting for a job as a chef instructor at the local technical college. The position was for a chef instructor with experience and expertise in Asian cuisine. Ideal candidates would also have an associate's degree, a minimum of five years' experience as a chef preferably in Japanese or Asian fusion cuisine. This could not be more perfect thought Drew; he met or exceeds all of the job qualifications.

He applied for the position and quickly went through the interview process, the culinary department at the College was impressed with his resume of experience; he was then scheduled to meet with Carol Higa, the Dean of the College. In an effort to impress Ms. Higa, Drew greeted her speaking Japanese. She was very impressed but giggled and said, "it's so odd to see an Irish guy speak Japanese so well."

The rest of the interview went well; Drew was confident that he would get an offer for the job. One week had past and still no word from the college so Drew decided to call Ms. Higa to enquire about the status of the job. In the conversation Ms. Higa said, "Although we were impressed with your qualifications, we are looking for a candidate that would instill confidence as an Asian chef, to date; we have not hired anyone."

1. Is this a case of hiring discrimination? Explain your answer.
2. List 5 BFOQ for any Chef Instructor.
3. If this case went to litigation, would Ms. Higa's statement, "it's so odd to see an Irish guy speak Japanese so well." Have an impact on the case? Explain your answer.
4. Does the fact that the college has not hired anyone for the position help or hurt Drew's case, should he go to litigation? Explain your answer.
5. List 5 categories that are protected by the Civil Rights Act of 1964 which employers cannot discriminate against.