

Discrimination in the workplace

[Sociology](#), [Social Issues](#)



Discrimination in the Workplace of Individuals Living with A Disease or Illness
A Case Study Bailey House This research paper is a case study focusing on the discrimination of workers living with a disease or illness. I chose this topic based on the need to educate others on the signs of workplace discrimination. Job discrimination in the workplace can effect many people in many different situations. This particular study chooses to focus on those individuals living with a terminal illness. Discrimination in the workplace can occur more frequently than many expect in this advanced society. The history of job discrimination in general is vast and covers many different areas. In America, the history of discrimination in the area of employment options is a sobering one that reaches far beneath the surface of what many want to know about our seemingly " fair" society. Broad prejudices against people with illnesses survive at the threshold of the new millennium. Those prejudices, infecting those familiar and unfamiliar with the severity of functional illnesses determine the way " non-ill" people view and act toward people living and working with illnesses. Many people, however, still fail to recognize the pervasive and damaging nature of " affliction" prejudice. Deep-seated psychological and sociological mechanisms give rise to prejudice against people with illnesses. While some or all of these mechanisms also contribute to discrimination against other minority groups, their operation in the context of illness has unique characteristics that make affliction prejudice extremely difficult to identify and eradicate. Workplace screening for predisposition to illness was championed during the 1930's, as it became clear that some workers exposed to toxins on the job became ill while others did not. Such screening is an increasingly frequent though highly

controversial practice in industry today. Screening prior to employment can help individuals avoid jobs that could be hazardous to their health. But testing workers for genetic susceptibility after they become ill could be a way for employers to avoid responsibility for workers' safety and compensation claims, shifting the blame to "genetically predisposed" workers while ignoring workplace hazards. Bailey House is an organization that was started by West Village area business people, activists and clergy members as a resource center for those living with HIV/AIDS. The initial mission of the organization was to provide housing for those living with the disease in an effort to curb the rate of homelessness among those infected. The extended mission of Bailey House was further carved out after much advancement in medicine had been made to help combat the negatives of the HIV/AIDS disease. The focus shifted to help clients live rather than how to help them prepare to die. After this organization was well established, another tenet of providing for those affected by this disease surfaced, that being job placement. As a result, Bailey House branched out beyond just providing housing for those living with HIV/AIDS. A service heavily relied on by the clients of Bailey House is their job training program which teaches clients interview skills as well as job skills necessary to succeed in the workforce. Along with this training, clients learn life skills, self-sufficiency and skills that complement their desire to want to appear as normal as possible while trying to obtain employment. INVEST NYC is the name of the program geared towards restructuring the lives of those wanting to remain in the workforce while living with a terminal illness. This program offers a wide reach of literacy services, job readiness training, pre-vocational services and

job placement assistance. This particular program has become a model nationally for other programs mirrored around the premise of what Bailey House represents. The success rate of this program is phenomenal with statistics of over 150 placements throughout the New York City area. Those effected by workplace discrimination can range from many angles depending on the research shown. In this particular study, we are setting out to find out how people working with illnesses are identified and thusly discriminated against. Although few employers today likely would articulate a view that members of certain racial or ethnic minorities are not intelligent enough to hold some jobs, many freely express the view that people with illnesses or disabilities display inordinate absenteeism, even though this stereotype has been thoroughly refuted by empirical data. In contrast to race and ethnicity, which are generally recognized to bear no relation to an individual's abilities, the mere fact of having a disability or illness is still believed to convey important information about a person's potential and limitations beyond the particular disability itself. Key identifiers that contribute to the perception of discrimination start with stereotyping based on images that we've been exposed to by the media followed by a stigmatism for what is perceived as negative because it is foreign. There is also a psychological discomfort that causes the imagination to create falsehoods that lead to a very formulated opinion about something or someone. We are also often presented with a "pity" factor, whereas people may not understand, they assume the worst about something they know little or nothing about. According to the U. S. Constitution, the fourteenth amendment dissolves any disparity regarding the fairness of all individuals in a working environment. The amendment

says: " All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws." This amendment has the power to convey a message that a universal theme is shared by all United States citizens to strive towards a common goal without creating a disruption in the carrying out of daily practices that might hinder another human being unfairly. In order for discrimination to be valid and acted upon, it must first be identified. Since this is such a serious claim, anyone claiming that they've been discriminated against, they have to provide proof of some kind in order for their claim to be further investigated by a Human Resource Counselor. When a person's entire being is thus reduced to what is perceived to be a negative characteristic, the physical or mental impairment attitudes about the individual's capabilities in other areas also tend to become negative. Merely from knowledge of the existence of one impairment or affliction, many people form negative attitudes about other unrelated characteristics of persons with disabilities. Since the claim of discrimination in the workplace is so extensive, there must be indicators that are firm before it can be acted upon by a higher authority than the individual making the claim. The Human Resource Counselors at most organizations are trained to identify what those factors would be in determining what a valid claim or instance of discrimination would be. At Bailey House, the Human Resource Counselors search for specific keywords or phrases that

employers might supply as to why the working relationship with a Bailey House client has to come to an end. Many times, the counselors are not surprised by the decision of the employers to end a working relationship with a client. The claims of discrimination began to pour in all at once for this new organization diminishing hope of the program's extension and questioning their effort to provide services beyond housing for the clients. A research study was necessary to determine the future of the Bailey House commitment to clients in their work transition phase of overcoming their disease. Bailey House began to conduct anonymous surveys with the employers of the clients to test their theories on the premise that these clients can be reformed into "normal" employees. The trained staff members of Bailey House were aware that in some instances, the alleged discrimination could be a clouded judgement or even subterfuge on behalf of an ailing client, eager to earn revenue from the organization without putting forth a valiant effort at the employment opportunity presented. Bailey House chose several cases to follow under the study that would eventually drive their cause to create a department and or programs that would deem it necessary for the organization to not only exist, but to expand. The case of Allen vs. NCCJ gave Bailey House one of their fulfilling triumphs that would cause their Human Resource Consultants to continue to be on the lookout for other suspicious actions or claims from clients about organizations that were not "affliction-friendly" environments for their clients. In this particular case, the organization that originally hired Mr. Allen for employment began to notice a lifestyle pattern displayed by Mr. Allen that was not necessarily conducive to the very conservative work environment harbored by NCCJ. As

the co-op program between Bailey House and the NCCJ was newly formed, there was no way to recognize the covert tactics of discrimination that was being displayed to Mr. Allen. The company began to make requests of Mr. Allen that would eventually take a toll on anyone, not to mention someone with a terminal illness. There were extensive travel requests and late hours and denial of necessary time off to make doctor appointments, as they were numerous. After a detailed amount of documentation of the events taking place was compiled, Mr. Allen had a claim. He presented this claim to the personnel at Bailey House and they began to investigate. After a very thorough process of investigation, the ties were inevitably cut with the NCCJ and Bailey House in order to weed out this type of instance from occurring again. No further action was taken with that particular organization, the information necessary to proceed with further claims was provided and the Bailey House was content with the results. The decision makers in this process was the Executive Director along with the Board of Directors as well as the Director of the task force on work transition before a program was formally named. It was their responsibility to create an alternative to a program that seemed to be going nowhere without any results to sustain itself, thus signaling an end of the extension program of client services if something wasn't done soon. Since the reality of a situation with illness-ridden clients in the workplace has the inevitability that all employers are not biased. In some cases the client will jeopardize the relationship with the employer on their own, so have been preventative measures taken to avoid pursuing false accusations of discrimination which is a very serious claim for someone to make in any situation but in the case of an ailing client to trump

up false charges is not far-fetched. There are services provided to curb non-productivity by clients in the workplace to avoid a situation where false charges are alleged. These services are basic counseling and skills training that teach clients how to relate to others that they may have previously felt alienated from. There is strong encouragement from the staff to promote working while living with a terminal illness and advisement of the dilemmas that can occur while working with such a serious illness. All clients are counseled very intensively before a decision is made to go back into the workforce. Both the employer and Bailey House, the host for the client, strictly evaluate the assessment of a worker's performance. This detailed evaluation of the client's performance in the workplace will determine the longevity of the client at a particular job assignment and also in the workforce in general. This type of assessment is heavily regarding in terms of making decisions for the future. As with most non-profit organizations, the programs are federally funded by educational and other grants that require review for the effectiveness of the program in order to ensure that the grant is being used appropriately and therefore will be extended for additional time. By the grant and funding being in jeopardy based on the success of the program, there is no reasonable alternative other than to make the collaboration of client vs. work force cohesively gel for a successful outcome or that meant the end of the program. The task force outlined and devised a plan to ensure a successful track for anyone assigned to this program. Then born was the INVEST NYC program with outlined tenets to propel all involved to a greater level of accomplishment. Based on the success of the initial program and the growing need for a program of this kind, the grants get

larger and the funding endows the organization to a greater expectation. A yearly evaluation determines the need for the program and grant and also decides if there will be an increase in funding or if the organization is in danger of losing the funding already supporting the organization. The Pros and Cons of implementing new policy can be very taxing on an organization as anyone could imagine. There will always be some in favor of one thing and others in favor of another leaving a lot of deliberation for all parties involved which can be very time consuming. There are those that are open to change and many that would be opposed. The possibility of being presented with a situation of people being comfortable doing things the way that they have always been done to produce the results that have always been produced is eminent and this can present a problem for those that are products of change. Those who are change makers and seekers can clash with those who are content with the complacency of non-change. This makes for very interesting debates and is situation specific for issues that require a solid stance. The projected outcome of the policy to implement a more developed program for the clients was always aimed high hoping to break even with the client participation as well as the employers providing the opportunity. The hope was always to grow the program and develop a standard in this industry so there would always be a need for this type of relationship between employer, client and host thus keeping the program/organization afloat. The success and size of the program determine the effectiveness of the implemented policy after a given time. The standard has been set and the organization is responsible for living up to that standard. The effectiveness of the policy is also measured against the tendency of the

client to sustain a healthy working relationship with the employer and the ability to take control of their illness (if possible) and to present a positive image of someone so easily discriminated against. My personal assessment of this case is that it was a much-needed program in an area that I personally would have never imagined was even necessary. The education of this particular genre of public policy and human resource management was astounding to me that so much could go on outside of the mainstream and I could be so unaware of very pertinent policy issues in our society today. This program has enlightened me and perhaps recruited me to participate through volunteering where necessary just to gain more insight after learning the background on the program. As with the INVEST NYC program, Bailey House has some other very well established programs that need as much support as possible and there is always a need for more participation and education. This organization is very innovative and outstanding in the right that it possesses a zeal that is continuously making breakthroughs for clients that propel the organization to higher heights and also helps the organization grow in size and experience. The work that Bailey House has done in the community and for the community affected by the illnesses related to HIV/AIDS is remarkable and pushes them to strive toward unspeakable goals. Hopefully some of the landmark cases that have come through this organization will help to dispel stereotypes and stigmatism's of those living with terminal illnesses that still insist on being a part of the workforce. Until then, Human Resource Management will continue to play a role in mandating fair and just treatment of those living with illnesses that

are thrust into the workforce. This study has shown that barriers can be broken and optimism for a brighter future may still exist.