

Workplace discrimination

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



Preventing Workplace Discrimination In the melting pot of various cultures, religions, races, and nationalities that workplaces have become, tension between people is something to be expected. Unfortunately, in some cases, the tension between individuals can end up taking the form of some sort of discrimination. Discrimination is illegal, and there are many laws that cover discrimination. In a simulation called “ Preventing Workplace Discrimination”, I am posing as a Human Resource Manager in the New York office of an organization called, Holmes, Helm and Partners, Inc. There are various situations/questions that the simulation posed and a few responses will be explained in further detail in the following paragraphs. Some of the questions posed are: 1. What are some measures a company can take to reasonably accommodate individuals that have a disability, or those individuals with a drug abuse problem, without causing an undue hardship on the company? 2. Should factors such as an individual’s personality, attitude towards work, and future upward mobility be considered when hiring? 3. Can Title VII override the employment environment and conditions detailed in a written employment contract between an employer and employee? All of the questions were addressed in the simulation and had examples that helped further explain each situation posed. In the first scenario posed, two positions need to be filled. The reason for the first position needing to be filled is due to an individual having a drug problem and constantly showing up late for work high on the job, erratic attendance, missing deadlines and in a seriously sad state of mind. The second position being filled was due to an underperformer on that particular job. The gentleman with the drug problem was not accommodated to because an organization does not need to

accommodate this type of situation. However, what an organization could do to prevent any later legality issues, is to offer that particular employee his or her job back once he or she has gone through rehabilitation and fully recovered from all drug abuse issues. With the two employees gone from the organization, there were now two vacancies that the company needed to fill for creative supervisors. The current team consisted of predominately white males and the job required some travel to meet with clients. During the replacement process, five strong candidates were left to be decided upon. There were various factors that were analyzed in order to make an overall decision and not be discriminatory or biased. In this scenario, and with any scenario, an organization should look only at what individual fits the qualifications and expectations of the job the best. Among the five individuals, there were many differences. One of the men had a disability and no longer had the use of his legs, another candidate was an African-American female who had strong feminist views and was a vocal champion in regards to the rights of African-Americans. These two candidates were chosen to fill the positions without any regard to the previous mentioned details. The gentleman with the disability was just as much if not more qualified as the other candidates and his disability was not a factor in the hiring process even though he would have to do some travel. A reasonable accommodation could be made for him, such as meeting with clients via tele-conference, through e-mails, and much more. The African-American female who was an activist for females and for African-American rights was not viewed any differently when interviewing for a position that was going to put her on a team with predominately white men. The two candidates were

more qualified than the others and several factors were examined to determine their qualifications. During the interviewing phase, the five candidates were measured on four factors, their performance on their entry test to the organization, their qualifications, their experience, and their attitudes. Other factors such as an individual's personality and interest's in future upward mobility are important; however, the four main factors are used more when making final considerations for whether or not to hire an individual. In this scenario, the five candidates were extremely close but after the points were total for each section, the two main individuals are the ones that were chosen regardless of disability, race, color, national origin or religion. The organization promotes diversity and upholds all the laws pertaining to the workforce. Title VII of the Civil Rights Act prohibits an organization from failing or refusing to hire or to discharge an individual based on race, sex, color, religion, or national origin (University of Phoenix, 2009). One of the last questions/scenarios to be explained from the simulation is about Title VII overriding the employment environment. Title VII can override the employment environment and conditions that are detailed in a written employment contract between an employer and an employee, at any time necessary. The reasoning is because Title VII is the "law" and the contract between the employer and employee has to fall within the guidelines of the law. Continually throughout the simulation Title VII was a reference point for the organization to read and understand in order to not violate any statutes. The whole simulation was based on discrimination in the workplace, and Title VII covers all levels of discrimination including the amendments that were mentioned in the simulation, Americans with

Disability Act and Age Discrimination in Employment Act. Any contract that an employer makes with an employee has to be legal or Title VII will override that contract. In summary, discrimination is not tolerated in the workplace. Title VII and many amendments have been passed to ensure that all employees are treated fairly, justly, and without any discrimination. When an employer is hiring or firing or many other tasks in between, the company needs to stay aware of the fact that the most important as well as legal thing to do is find the most qualified individual for a position and remove underperforming individuals without any type of bias or discrimination. Companies need to ensure that they can prove any issues that may come about in a court of law or the court will typically rule against the organization. In the simulation many scenarios arose and all decisions were made by reading the laws that were applicable and staying within those guidelines. References University of Phoenix. (2009). Keeping information confidential [Computer Software]. Retrieved on January 31, 2009, from University of Phoenix, Resource, Simulation. https://ecampus.phoenix.edu/secure/resource/vendors/tata/UBAMSims/employment_law/employment_law_avoiding_discrimination_simulation.html