

Essay on the nine grounds of discrimination and diversity

[Sociology](#), [Racism](#)



Introduction

The previous ten years have experienced a rise in awareness and sensitization on the negative effects of discrimination among the people living in Ireland. This has been clearly mirrored in the formulation and enactment of equality legislations and the consequent establishment of bodies such as the Equality Authority and the Equality Tribunal.

Discrimination occurs when an individual or a group of persons is/are treated less favourably than others due to their religious belief, sexual orientation, ethnic group or 'race'-skin colour, disability, family status, marital status, gender and/ or member of traveller community, which are the nine fundamental grounds of discrimination. Discrimination can take many forms and dimensions but basically it involves the element of treating people adversely, negatively or differently. Accommodating individual differences is the essence of diversity. Diversity in the employment setup embraces the range of relevant attributes and experiences, languages, cultural background, qualification and individual skills people bring at the work place. The recognition of diversity could be associated with benefits such as improved innovation, creativity, productivity and efficiency, that contribute to competitiveness and improved growth of organisations and companies if managed successfully.

Types of work place discrimination

According to Irish legal framework on equality discrimination is treating someone differently based on their religious belief, sexual orientation, ethnic group or 'race'-skin colour, disability, family status, marital status, gender

and/ or member of traveller community. These are referred to as the nine fundamental grounds of discrimination. Based on these grounds there are different forms of work place discrimination that may occur during the initial recruitment or during the day to day work place interactions. The very notable types are categorized into either direct or indirect discrimination. Discrimination can be by association or imputation.

Indirect discrimination occurs where people are, for instance, denied employment or training not openly on the nine known discriminatory grounds but because of a requirement, practice or provision which they find difficulty to satisfy. If the requirement, practice or provision puts a person at a specific disadvantage then the organisation will have indirectly discriminated the person, unless the incidence is objectively justified by a legal aim and the means of achieving that goal are necessary and appropriate. In other words indirect discrimination has to do with systems and policies that apparently discriminates against certain groups of people for example Muslims. Direct discrimination in employment on the other hand deals with out rightly denying someone opportunity based on the nine discriminatory grounds.

Discrimination by Association happens in situations where a person related with another person or a certain group is treated unfavourably because of that association. Discrimination by imputation on the other hand is where a person is discriminated because he or she is thought to belong to a certain group; for instance when a person is ill-treated because he or she has characteristics of a certain group yet he or she doesn't belong to it.

Legal framework for Equality at Work place

In the workplace setup the term equality refers to the practice of availing equal opportunities to all employees or potential employees by employers. The employers create an environment of mutual or common respect for groups and individuals. This environment is necessary in achieving a diverse mixture of people and experiences, creating a positive work environment and removing unnecessary borders in any business organisation. Employers ought to be familiar with various legal provisions that are related with equality.

The major provisions mediating equality at the work place are contained in the Employment Equality Acts of 1998 amended in 2004. The provisions of this act promote equality and Prohibits all forms of harassment, victimisation and discrimination on the basis of the nine grounds mentioned earlier. The act clearly defines each of the nine discrimination grounds. The act boldly requires positive action and measures to enforce full equality in practice transcending the nine grounds (Religion, Sexual orientation, The family status ground, Marital status, Gender, Age, Disability, Race and The travellers community). The Act covers critical aspect of employment like advertising for job opportunities; equal access to employment opportunities; equity in pay (no one should be underpaid based on the nine grounds); equality in terms and conditions of employment; access to vocational training and work experience; classification of post; promotion or re-grading; dismissal and collective agreement. The act applies to all forms and levels of employment whether full-time, part-time and temporary employees. It also applies to public and private sector employment, vocational training bodies,

employment agencies and trade unions, professional and trade bodies. It is worth noting that the act gives compressive provisions to cater for the disabled in the workplace.

The act requires appropriate measures for people with disabilities in relation to access, participation and training in employment. In the legislative framework the employer is instructed to take appropriate and reasonable measures to facilitate persons who have disability access to dignified employment, to participate and progress in employment and enrol for training. This should be observed fully under the clause on reasonable accommodation, unless the measures impose a disproportionate burden to the employer. The legal provision has a window for this provision. The appropriate measures implies effective and practical measures to adapt employer's place of business, these involves adaptation of patterns of working time, equipment, premises, distribution of tasks or integration of resource or provision of training. The employers are mandated to draft a policy statement that relate to disability. The policy statement will address areas of concern like recruitment strategy, integration into workplace and orientation, appraisal and progression at the work place, workplace equipment and accommodation, welfare and safety at work, equality and disability proofing and how it will keep abreast with the best practice.

Equal opportunities and Managing diversity as a Business imperative

The major reason to advocate for equality is to achieve social inclusion. The workers are now increasingly seeking representation in workforce through trade unions. The necessary legislation framework is continuously being

reviewed to create a level playing field in labour market. There is also an effort to integrate the international provisions that address issues of equality and diversity particularly those emanating from the European Union.

Equal Opportunities especially for persons seeking employment or already employed in different sectors are guaranteed by the law under the Employment Equality Act of 1998 and 2004. Managing diversity by different organisations and agencies is determined by their different organisational principles and established working culture. Diversity in a business environment includes the range of ways in which people have experience and a unique group identity, which the nine domains age, ethnicity, race, sexual orientation, gender identity and gender. The organisation's culture dictate extend of cultural diversity. Diversity at work place has numerous benefits like improved decision making and enhanced problem solving, greater innovation and creativity, which in turn leads to improved productivity. Diversity of employees can also expand the market share of the business for example multiracial staff would attract clients from various races. The recognition of diversity in a corporation also aids to link the variety of skills and talents in the organization. The employees with these skills and talents ultimately have a sense of belonging and feel needed; this in turn increases their commitment and loyalty to the organisation or company permitting them to make unique contribution.

However the benefits of diversity are accompanied by challenges associated with the management of diversity. The main challenges of varied work-teams or highly diverse include the burden of managing and motivating such teams. Miscommunication within an organisation where messages and

conversation are not completely relayed will impair running of business, cultural biases which are notable by discrimination and prejudice which is negative overtones in attitudes towards a member of the organisation.

Assimilation is another challenge in which individuals are made to deny their genuine selves in an organisation. This will lead to reduced productivity in an organisation. The individual will completely fail because a lot of energy is spending in learning to be different from you.

Sufficient and effective communication is prerequisite in managing diversity. Any breakdown in communication due to lack of embracing diversity can be detrimental to the organisation. Improving equality and prohibiting discrimination creates an environment for diversity, however, of premier concern is valuing differences and inclusion in a spectrum of areas as religious belief, physical disability, sexual orientation, culture, race, age, and ethnicity. The multicultural, plural and monolithic organizations are the three types organizational models based on the concept development of cultural diversity.

Conclusion

There are nine fundamental grounds of discrimination that are sufficiently addressed by the Irish legal framework. In the workplace context the Employment and Equality act 1998 and 2004 guarantees equality and prohibits discrimination in the recruitment process and in the daily workplace interactions. This legal framework creates an enhancing environment for diversity at the workplace. The said diversity comes with certain benefits as well as challenges.

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