

# Ethical issues in hiring essay



Ethical Issues in Management: Hiring Hiring is an everyday function of all businesses, when hiring, there are numerous policies and procedures that are required and must be followed. This will guide and address the directives that businesses should follow to meet the terms of the law and guarantee that the business is not showing prejudice against any group, but that the company hires the person most qualified without regard to race, religion, gender or creed. There are many moral and ethical issues faced each day by managers who are involved in the hiring process.

Today's hiring managers must always adhere to the laws that are written to protect the applicants. The manager must put all biases aside and hire the right person with the right qualities for the position.

While this is not a difficult task, many make it difficult. If an applicant is in a protected group, such as that of a minority or an applicant over 50 and the individual is not hired, the individual could file a discrimination lawsuit against the business. It must be noted that the business did not reject the applicant due to race or age, but when these issues occur they can be costly to a company.

Many businesses today test applicants prior to hiring the applicant. This can protect the business in the case of such a lawsuit. The business will bring the test results to the court and advise that the applicant who was hired was hired because he or she tested the highest.

Many companies promote a drug free environment. To properly promote such an environment, many of today's companies require pre-employment

drug testing. When an employee comes to work and is under the influence, the company is at risk. To eliminate risk, these tests are mandatory.

The Pre-Employment Drug Screening of America has stated, “ In 1987, a national testing laboratory, SmithKline Beecham, found that 18.

1 percent of all workers tested had positive results. By 1997 that figure was down to 5. 4 percent” (Iowa Workforce Development, 2009). Drug experts debate whether this means drug use has fallen, or drug abusers simply avoid employers that test and instead apply at firms that do not test. Either way, most HR and safety professionals have found drug testing to be a valuable and cost-effective risk management tool.

The only individuals who see this practice as unethical are those who fail. Lastly, many businesses will not hire an applicant if the applicant is an ex-felon. When an individual is convicted of a felony, it advises the business that the individual is dishonest in one form or another. To try to circulate the ex-felons back into society, the Federal government and many states are offering tax credits for the hiring of ex-felons. “ Both the federal and state governments offer tax credits for hiring ex-felons.

The federal program – Work Opportunity Tax Credit (WOTC) – offers a federal tax credit of up to \$2, 400 for each new hire” (Iowa Workforce Development, 2009). Depending on the felony, this is up to the employer. ABC Company needs to hire a new receptionist. The ad states that the requirements are a high school diploma and two years’ experience in answering phones and in an office environment. The ad specifically stated, “ ABC Company is an equal

opportunity employer. If you need accommodation to interview, please advise at the time of your resume submittal”.

These two sentences advise all that the company does not discriminate. Is it really true? The Human Resources department reviews the resumes that arrive and the list has been narrowed down to 10 potential applicants. Bob Smith, the company manager who the receptionist will report too receives the resumes. The names on the resumes are Danielle Silva, Inez Jones, Ju Wang, Tiana Potero, Len Jones, Muhammad Patel, Abdul Shakar, Santos Riveria and Andrew Miller. Both Len Jones and Andrew Miller have requested special accommodation.

All of these candidates exceed the minimum requirements and all have experience.

While it was difficult to narrow down the list, as all of the candidates were exceptional, this group was chosen based on experience. In addition to choosing this group, as you can see, the group is very diverse. It appears that almost all demographics are in the final interview group and four of the 10 are men. It is apparent that the company respects the EEOC laws.

Bob Smith, the manager, rejects all the applicants stated, “ I want an employee who can properly speak the English language and who is not handicapped, as appearance is everything. This is a clear violation of the EEOC laws, which state: “ Title VII of the Civil Rights Act of 1964 (Title VII), which prohibits employment discrimination based on race, color, religion, sex, or national origin; and Title I and Title V of the Americans with Disabilities Act of 1990 (ADA), which prohibit employment discrimination

against qualified individuals with disabilities in the private sector, and in state and local governments” (The U. S. Equal Employment Opportunity Commission Website, 2002).

The hiring manager immediately advised Bob that he was in violation of these laws and that if these applicants, who meet the minimum requirements, are not considered, the company could face a potential lawsuit. It is apparent that Bob has diversity issues.

Instead of adhering to Bob’s disturbing comments on these qualified candidates, the company saw a significant issue with Bob and fired Bob. The company interviewed all of the candidates and happily hired Santos Riveria as the receptionist. Santos has experience and is bi-lingual; bringing a quality that was not required but is one of quality.

By not adhering to the law, Bob lost his job due to cause. The cause factor has made it impossible for Bob to collect unemployment benefits.

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