

The supreme court  
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selection guidelines  
in the federal  
government...

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Discrimination in Performance Management College: Discrimination in Performance Management One important role of the federal law is to protect the right of the employees and to ensure that they do not suffer any form of discrimination in organizations where they work. However, it is clear that the Supreme Court has had to handle a number of such cases which have become part of the labor sector in the recent past. A good example is the McGrory V. Applied Signal Technology case that the Supreme Court handled in 2013 (Lewis, 2013). In this case, a Mr. McGrory gave a verbal warning for poor work performance to Dana Thomas, an employee serving under him. Dana accused Mr. McGrory of discrimination on the basis of gender and sexual orientation. The Supreme Court found McGrory guilty for failing to cooperate with the attorney when he was required to provide a performance appraisal plan. Further, the court dismissed his appeal for wrongful dismissal and termed his claims unfounded.

Performance management in the US is important in the employment sector as it provides the basis for employee evaluation. The employees are obliged to perform to the standards of the organization if they have to reserve their jobs. Performance management requires transparent guidelines on the measures of employee performance within an organization. As Noe, Hollenbeck, Gerhart, & Wright (2011, p. 249) point out, the Supreme Court has held that the selection guidelines in the federal government's Uniform Guidelines on Employee Selection Procedures also apply to performance measurement. The idea of the Supreme Court is to ensure that performance management is conducted ethically to avoid issues of discrimination or

wrongful dismissal of employees. The human resources must define a standard criterion for measuring performance within its organization to ensure that work assessment is conducted in a transparent manner. In the case above, the court found McGrory guilty of misconduct for his failure to provide a clear basis for regarding Dana as an efficient employee. When questioned by the court, he failed to provide a clear basis for performance management which he used as a reference in measuring the employee's performance. An unethical issue that emerged in this case is that the McGrory used other employees to assess the performance of Dana, which is against the guidelines provided by the Supreme Court (Lewis, 2013). According to the Supreme Court, employees should be assessed using the same selection guidelines that an organization uses. Therefore, it was probable that the employee complaining against Dana's performance may have been biased on the lines of gender (Noe et al., 2013). From this perspective, the court found rejected McGrory's claim and found him guilty of failing to apply the right performance management standards. In conclusion, the US legal system provides clear guidelines on employee performance management within the labour sector. The law requires that each organization embraces the law in dealing with all the employees to avoid cases of wrong work termination or even any form of discrimination. The above case shows the effort of the court to protect the rights of the employees and its dedication to ensure employees and employers work in a transparent manner within the law.

## References

<https://assignbuster.com/the-supreme-court-has-held-that-the-selection-guidelines-in-the-federal-governments-uniform-guidelines-on-employee-selection-procedures-also-apply-to-performance-measurement/>

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