

Discrimination: equal employment opportunity essay sample

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Discrimination is a term referring to the treatment taken toward or against a person of a certain group in consideration based mainly on class, color, religion and sex or sexual preferences. Discrimination is the actual behavior towards another group or person. It involves excluding or restricting members of one group or person from opportunities that are available to other groups or individuals.

Everyone agrees that workplace discrimination has no place in the modern business world. But not everyone understands the laws that protect employees against discrimination. In this case, what you don't know can hurt you especially if an aggrieved employee files a discrimination claim against your company. If an employer violates the workplace discrimination laws whether deliberately or by accident they face great legal and financial problems and consequences.

Discrimination may occur when an employee suffers unfair treatment due to their race, religion, national origin, or disabled. This group could also include employees who suffer retaliation for opposing workplace discrimination or for reporting violations to the authorities. Federal law prohibits discrimination in a number of work-related areas, including recruiting, hiring, job evaluations, promotion, training, compensation and disciplinary action (1999 – 2010 AllBusiness. com)

This definition raises an important point: Unfair treatment does not necessarily equal unlawful discrimination. Treating a person differently from others violates Equal Employment Opportunity (EEO) laws only when the treatment is based on the presence of a protected characteristic, rather than

on job performance or even on something as strange as an employee's personality. Keep in mind, however, that discrimination claims can be highly impersonal. To avoid discrimination, you do not have to extend special treatment to any employee. The law requires only that you extend the same employment opportunities and enforce the same policies for each employee (1999 - 2010 AllBusiness. com). Everyone needs to be treated equal even if you may be friends with other coworkers even outside the workplace.

Sex Discrimination

Sexual Harassment – This includes practices ranging from direct requests for sexual favors to workplace conditions that create a hostile environment for persons of either gender, including same sex harassment. (The “ hostile environment” standard also applies to harassment on the bases of race, color, national origin, religion, age, and disability.) Pregnancy Based Discrimination – Pregnancy, childbirth, and related medical conditions must be treated in the same way as other temporary illnesses or conditions. (November 21, 2009, The U. S. Equal Employment Opportunity Commission)

Age Discrimination in Employment Act

Statements or specifications in job notices or advertisements of age preference and limitations. An age limit may only be specified in the rare circumstance where age has been proven to be a bona fide occupational qualification (BFOQ); Discrimination on the basis of age by apprenticeship programs, including joint labor-management apprenticeship programs; and denial of benefits to older employees. An employer may reduce benefits

based on age only if the cost of providing the reduced benefits to older workers is the same as the cost of providing benefits to younger workers.

(November 21, 2009, The U. S. Equal Employment Opportunity Commission)

Equal Pay Act

The EPA prohibits discrimination on the basis of sex in the payment of wages or benefits, where men and women perform work of similar skill, effort, and responsibility for the same employer under similar working conditions.

Employers may not reduce wages of either sex to equalize pay between men and women. A violation of the EPA may occur where a different wage was/is paid to a person who worked in the same job before or after an employee of the opposite sex. A violation may also occur where a labor union causes the employer to violate the law. (November 21, 2009, The U. S. Equal Employment Opportunity Commission)

Despite federal and state laws prohibiting employment discrimination based upon age, older workers often are fired on the basis of false and negative stereotypes and suffer disappointment when employers lay off workers.

Older workers who lose their jobs have difficulty finding a job that is the same or payscale is the same when their employment is terminated.

Workers still face employment discrimination based upon religion, disability, and sexual orientation. Federal state laws prohibit discrimination based upon religion, but discrimination still exists and employers have a very limited obligation to accommodate the religious observance needs of employees.

Federal and state laws protect a person from discrimination on disability but sometimes false assumptions about employment ability the disabled person results in the denial of jobs to fully qualified disabled persons, and many employers resist that they need to provide reasonable accommodation to the needs of disabled persons, which seriously limits the ability of disabled person to get fair treatment in the workplace. (Michael J.; Tom D. Daniels, Barry K. Spiker 2007). No federal statute prohibits employment discrimination on the basis of sexual orientation, but some state laws have recently provided some type of protection. It remains true however, that most gay and lesbians have no legal protection from even the most awful sexual orientation discrimination in the workplace. Achieving a goal for Americans to receive fairness in all work places no matter what age, race, religion, sexual orientation should be a an example that everyone can follow.

References

1999 – 2010 AllBusiness. com

The U. S. Equal Employment Opportunity Commission “ Federal Laws Prohibiting Job Discrimination Questions And Answers” November 21, 2009, <http://www.eeoc.gov>.

Trentham, Susan; Laurie Larwood (1998). “ Gender Discrimination and the Workplace: An Examination of Rational Bias Theory”.

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