

Critique of ada and affirmative action paper

[Life](#)



**ASSIGN
BUSTER**

Critique of ADA and Affirmative Action Paper The population of the United States of America consists of a variety of people. Many races, cultures, and beliefs exist in the country. Individuals also vary upon characteristics, genetics, mental capabilities, and social status. The United States of America is known as the “land of the opportunity” (Home of Heroes, 2011) across the world. Individuals travel near and far to join the country. Over the years, many individuals have come to the country. They have established families and become citizens.

Other cultures, and even other characteristics, haven't always been welcome. In the past years, individuals, organizations, educators, and government have discriminated against these minority groups. Minority groups ranked at the bottom when being considered for a job or school. Minority groups were not treated the same as the average population in many organizations and society. Two acts have been imposed to stop the discrimination of these minorities. The imposed acts are known as Affirmative Action and the Americans with Disability Act (ADA). This paper defines both imposed acts, past to present.

Affirmative Action The Stanford Encyclopedia of Philosophy defines Affirmative Action as “positive steps taken to increase the representation of women and minorities in areas of employment, education, and business from which they have been historically excluded. When those steps involve preferential selection—selection on the basis of race, gender, or ethnicity—affirmative action generates intense controversy.” (Stanford Encyclopedia of Philosophy, 2001) The history of Affirmative Action has a long history. It was first used in the 1960's in the Civil Rights Act.

<https://assignbuster.com/critique-of-ada-and-affirmative-action-paper/>

In 1965 the President ordered Affirmative Action to be applied to federal contractors (Stanford Encyclopedia of Philosophy, 2001). Imposing Affirmative Action resulted in organization creating quotas. Quotas are known as a “ plan” to allow a specific amount of individuals per minority to be hired or utilized. Due to these quotas, Affirmative Action wasn’t working as expected. It was later determined, quotas are not applicable and defeat the purpose of Affirmative Action. The purpose Affirmative Action has a main purpose to create fairness between minorities and the larger populations.

Affirmative Action mandates organizations, schools, and government to consider minority individuals without bias to minority. Minority individuals must receive the same treatment and opportunity as any other individual, who is not in a minority population. Controversy As with many other acts and laws, controversy follows Affirmative Action. Despite the purpose of Affirmative Action, individuals often argue the contents of the action are unconstitutional. Some organization set plans for Affirmative Action and controversy often follows.

Many organizations still manage to have quotas, which cause controversy. Controversy seems to be unlimited when concerning Affirmative Action. Affirmative Action may need to be strict to stop controversy, if possible. American Disability Act “ Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. (U. S. Equal Opportunity Commission, 2008) “ The ADA covers <https://assignbuster.com/critique-of-ada-and-affirmative-action-paper/>

employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations. The ADA's nondiscrimination standards also apply to federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules. " (U. S. Equal Opportunity Commission, 2008)

ADA defines disabilities The Americans with Disabilities Act defines an disabled individual in by three factors.

These factors include: * Mental or physical impairment which hinders an individuals' ability to perform one or more " major life activities" (U. S. Equal Opportunity Commission, 2008) * Has been diagnosed as having the impairment described * Has been regarded as having the impairment described Organization requirements The Americans with Disability Act requires organizations to follow specific guidelines to be compliant with ADA. Besides, giving disabled individuals equal opportunity to employment and education, the organizations must be functional for disabled.

The organizations facility must be accessible. Schedules and work tools may need to be modified to fit disabled individuals. " An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an " undue hardship" on the operation of the employer's business. Reasonable accommodations are adjustments or modifications provided by an employer to enable people with disabilities to enjoy equal employment opportunities.

Accommodations vary depending upon the needs of the individual applicant or employee. " (U. S. Equal Opportunity Commission, 2008) Conclusion

<https://assignbuster.com/critique-of-ada-and-affirmative-action-paper/>

United States of America consist of many diverse individuals. Many of these individuals are included in minority groups. Minority groups have been treated poorly in the past. Although mistreatment of minority individual still occurs, specific acts imposed by the government have decreased the statistics. Affirmative Action was imposed to create fair and equal opportunity to minority groups.

Affirmative Action includes government and educators. Americans with Disability Acts (ADA) is another act to assist a specific minority, disabled. The ADA creates an equal opportunity for disabled individuals in the areas of work and education. This act covers hiring processes and reasonable accommodations. As the United States population grows, so do minority groups. The government has implemented these acts to give fairness to the growing minorities. The country values equal employee opportunity.

References Home of Heroes. (2009-2011). Land of Opportunity. Retrieved from [http://www. homeofheroes. com/hallofheroes/2nd_floor/opportunity/index. html](http://www.homeofheroes.com/hallofheroes/2nd_floor/opportunity/index.html) Stanford Encyclopedia of Philosophy. (2001, December 28). Affirmative Action. Retrieved from [http://plato. stanford. edu/entries/affirmative-action/](http://plato.stanford.edu/entries/affirmative-action/) U. S. Equal Opportunity Commission. (2008, September 9). Facts About the Americans with Disability Act. Retrieved from [http://www. eeoc. gov/facts/fs-ada. html](http://www.eeoc.gov/facts/fs-ada.html)