

# Gender discrimination case study

[Sociology](#), [Gender Studies](#)



## Case Facts

Ann Hopkins was working on the major nation wide accounting partnership Price Waterhouse. After five years of work she became one of the candidates for the partnership.

According to the procedure each of the candidates got the responses from the colleges that evaluated his or her work. However, the responses not necessarily were the basis for accepting or rejecting the candidate. The procedure required that the board would consider each of the candidates and the board would accept, reject or put on “ hold” the candidate. In the case of Ms. Hopkins the board decided to put her “ on hold”.

It should be note that thirteen of the 32 partners who had submitted comments on Hopkins supported her bid for partnership. Three partners recommended that her candidacy be placed on hold, eight stated that they did not have an informed opinion about her, and eight recommended that she be denied partnership. (U. S. SupremeCourt)Now, Ms. Hopkins claims that the decision of the board not to accept her as a partner was based on personal perceptions against women rather than on the critical evaluation of her professional skills and contribution to the company success as an employee. It is also remarkable, that Ms. Hopkins made a significant contribution to the company’s success in signing the multimillion contract. In this regard, it should be noted that this achievement was widely mentioned by partners and made a significant contribution to her record that became one of the best in the company.

**Issues and law listing**

The case deals with the issue of discrimination at the workplace on the bases of gender. Those issues fall under the ruling of Title VII of the Civil Rights Act of 1964, 78 Stat. 253, as amended, 42 U. S. C.

2000e et seq. It also falls under the regulation of several cases like McDonnell Douglas Corp. v. Green, 411 U. S. 792 , and Texas Dept.

of Community Affairs v. Burdine, 450 U. S. 248. (U.

S. Supreme Court)

**Application of the legal principles**

Under the Title VII the rule is made that sex, race, religion or national origin can not be the basis of making decisions about compensation, evaluation or selection of employees. According to this principle of nondiscrimination the necessity to determine whether Ms. Hopkins was discriminated against or not arises. Under this principle of nondiscrimination it should be established what role did the gender of the employee played in the decision making.

In the case with Ann Hopkins the Price Waterhouse managers were trying to make a point that the despite the fact that decision was partly based on the employee's gender it still would be the same if the employee was male and not a female. At the same time Ms. Hopkins claims that there is a discrimination against her if the issue of sex was included in the process of decision making regardless to the role it played and how it influenced the decision made by the board. Under the rule of law the governments forbids any employer to “ fail or refuse to hire or to discharge any individual, or

otherwise to discriminate with respect to his compensation, terms, conditions, or privileges of employment,” or to “ limit, segregate, or classify his employees or applicants for employment in any way which would deprive or tend to deprive any individual of employment opportunities or otherwise adversely affect his status as an employee, because of such individual’s . .

. sex.” 42 U. S. C. 2000e-2(a)According to the Title VII the discrimination cannot be made because of several issues, but it doesn’t mean that it can not be conducted “ solely because of” those issues.

It other words, according to this principal the decision based on sex and other factors is still based on discrimination even though the employer claims that the decision would be the same even if sex issue wouldn’t have been taken into account. So in general it can be concluded that the principle of equality was violated. Moreover, it was the employer’s responsibility to stop that violation, while no actions were taken by the company to interfere in that process.

### **Ethical issues**

The case touches upon several major ethical issues. First of all it is the issue of gender and sex discrimination at the workplace.

Second, the evaluation of the employee’s work is a serious issue here as well. Finally, the issue of relations between the employer and the employee and the balance of rights and liabilities should be taken into account.

**Ethical principles**

First of all, it is worth to turn to the principle of equality. It is obvious that no person can be discriminated on the bases of sex, but it is not that obvious who shall be found guilty for the discrimination. At this stage it is necessary to mention that one of the board members was known for his remarks about women and his persuasion in the fact that woman can not possibly be a partner. During the entire history of the company no woman was accepted as a partner.

It is remarkable, that despite the fact that Price Waterhouse management was aware of prejudice against women it still did take into account the voice of that board member. It is also interesting to examine the influence of such gender discrimination on the evaluation of the employee's performance. As it was mentioned above, Ms. Hopkins made a significant contribution to the success of the company in obtaining \$25 million contract, however, she was still evaluated not sufficiently just because of her gender. To remain ethical, the board should have either accepted her as a partner or at least give a complete and convincing reasoning for the refusal based on other issues than sex.

In this regard it is necessary to mention that other employees that had records that didn't contain many characteristics that Ms. Hopkin's record did were accepted as partners.

**Conclusions**

The case is a good example of discrimination on the bases of sex. It perfectly illustrates unfairness of the employer towards the employee on the basis of

prejudices or perceptions connected with his or her sex. It is remarkable that those perceptions can influence the evaluation of the employee's performance to the large extend and can lead to the serious mistreatment.

However, it should be noted that the reasons for finding one being discriminated on the bases of sex should be considerable otherwise the person cannot claim the discrimination. It is important to understand that the laws on discrimination cannot be the tools of getting personal advantage.

### **Comments**

The case of Ann Hopkins is a good example of the court's ruling on sexual discrimination. It is a classical example of the inequality at the work place that made a basis for future decisions on the subject. BibliographyGentile Mary The Case of the Unequal Opportunity retrieved January 20 from <http://doi.>

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S. Supreme Court PRICE WATERHOUSE v. HOPKINS, 490 U. S. 228 (1989) 490 U. S.

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