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Chapter 10

Manage Diversity at Work

We all live with the objective of being happy; our lives are all different and yet the same.

- Anne Frank

Differences challenge assumptions.

- Anne Wilson Schaeff

Hiring Multicultural

On a Tuesday afternoon, as you are getting ready to go to lunch, you receive an e-mail from your human resources (HR) manager about the need to hire a new project manager, and there is a \$500 bonus for referring a friend who successfully joins the company. Immediately, you e-mail your friend Daniel, because you know he would be great for the job. Daniel is eventually hired for the position, and a few months later a new e-mail goes out asking for friend recommendations for a new position. You and Daniel both recommend someone, and eventually that person gets hired. Over the next year, hiring notices are not advertised externally as the organization has had good luck with this hiring practice. Seems like a great way to recruit new people, doesn't it? It can be, but it also can be a detriment to the diversity and multiculturalism of the workplace. How, you might wonder?

While not true across the board, people have a tendency to spend time with people who are like themselves, in race, income level, and other aspects of diversity such as sexual orientation. In fact, according to the National Institute of Child Health and Human Development and a study published in the *American Journal of Sociology*, it is much more likely that someone will name a person in their own race as a friend than someone of a different race. James Moody, "Race, School Integration, and Friendship Segregation in America," *American Journal of Sociology* 107, no. 3 (2001): 679–719. Likewise, even from a young age, people tend to choose friends who are of the same race. As a result, when you recommend Daniel for a position, it is highly likely that Daniel is similar, from a diversity perspective, to you. Then, when Daniel recommends someone for a job, it is highly likely that he, too, is recommending

someone with similar characteristics as you both. This obviously creates a lack of multicultural diversity in the workplace, which can mean lost profits for companies. In addition, it is important for us to be able to function effectively in a multicultural work environment, as multicultural understanding improves our ability to engage in positive human relations with others.

10.1 Diversity and Multiculturalism

LEARNING OBJECTIVES

1. Define, explain, and identify your own power and privilege.
2. Provide reasoning as to why diversity is important to maintain good human relations skills.

Many people use the terms *diversity* and *multiculturalism* interchangeably, when in fact, there are major differences between the two. **Diversity**¹ is defined as the differences between people. These differences can include race, gender, sexual orientation, religion, background, socioeconomic status, and much more. Diversity, when talking about it from the workplace perspective, tends to focus more on a set of policies to meet government-mandated diversity compliance standards.

Multiculturalism² goes deeper than diversity by focusing on inclusiveness, understanding, and respect, and also by looking at unequal power in society. In a report called the “2007 State of Workplace Diversity Management Report,” Society for Human Resource Management, *The 2007 State of Workplace Diversity Management Report*, March 2008, accessed August 3, 2011, <http://www.shrm.org/Publications/HRNews/Pages/DiversityBusinessImperative.aspx>, most human resources (HR) managers said that diversity in the workplace is

1. not well defined or understood at work,
2. focuses too much on compliance, and
3. places too much emphasis on gender and ethnicity.

This chapter focuses on the advantages of a diverse workplace and discusses how to work in a multicultural workplace.

1. The real or perceived differences between individuals.
2. Looks at power and privilege differences in society.
3. A system of advantages based on race, gender, sexual orientation, and other components of diversity.

Power and Privilege

As defined in this chapter, diversity focuses on the “otherness” or differences between individuals and has a goal of making sure, through policies, that everyone is treated the same. While this is the legal and the right thing to do, multiculturalism looks at a system of advantages based on race, gender, and sexual orientation called **power and privilege**³. In this system, the advantages are based

on a system in which one race, gender, and sexual orientation is predominant in setting societal rules and norms.

The interesting thing about power and privilege is that if you have it, you may not initially recognize it, which is why we can call it invisible privilege. Recognizing power and privilege can help you begin to understand how you relate to others. This is an important emotional intelligence skill of relationship management. Here are some examples of invisible privilege:

1. **Race privilege.** Let's say you (a Caucasian) and your friend (an African American) are having dinner together, and when the bill comes, the server gives the check to you. While this may not seem like a big issue, it assumes you (being Caucasian) are the person paying for the meal. This type of invisible privilege may not seem to matter if you have that privilege, but if you don't, it can be infuriating.
2. **Social class privilege.** When Hurricane Katrina hit New Orleans in 2005, many people from outside the storm area wondered why so many people stayed in the city, not even thinking about the fact that some people couldn't afford the gas to put in their car to leave the city.
3. **Gender privilege.** This refers to privileges one gender has over another—for example, the assumption that a female will change her name to her husband's when they get married.
4. **Sexual orientation privilege.** If I am heterosexual, I can put a picture of my partner on my desk without worrying about what others think. I can talk about our vacations together or experiences we've had without worrying what someone might think about my relationship. This is not the case for many gay, lesbian, and transgendered people and their partners.

Oftentimes the privilege we have is considered invisible, because it can be hard to recognize one's own privilege based on race, gender, or social class. Many people utilize the color-blind approach, which says, "I treat everyone the same," or "I don't see people's skin color." In this case, the person is showing invisible privilege and thus ignoring the privileges he or she receives because of race, gender, or social class. While it appears this approach would value all people equally, it doesn't, because people's different needs, assets, and perspectives are disregarded by not acknowledging differences. Victoria C. Plaut, Kecia M. Thomas, and Matt J. Goren, "Is Multiculturalism or Color Blindness Better for Minorities?" *Psychological Science* 20, no. 4 (2009): 444–46.

Another important aspect of power and privilege is the fact that we may have privilege in one area and not another. For example, I am a Caucasian female, which

certainly gives me race privilege but not gender privilege. Important to note here is that the idea of power and privilege is not about “white male bashing” but understanding our own stereotypes and systems of advantage so we can be more inclusive with our coworkers, employees, and managers.

So what does this all mean in relation to the workplace? It means we can combine the understanding of certain systems that allow for power and privilege, and by understanding we may be able to eliminate or at least minimize these issues. Besides this, one of the best things we can do for our organizations is to have a diverse workforce, with people from a variety of perspectives. This diversity leads to profitability and the ability to better serve customers for the company and better human relations skills for us. We discuss the advantages of diversity in Section 1.

Stereotypes and the Effect on Privilege

[\(click to see video\)](#)

This video discusses some racial stereotypes and white privilege through “on the street” interviews.

Why Diversity and Multiculturalism?

When many people look at diversity and multiculturalism, they think that someone’s gender, skin color, or social class shouldn’t matter. So diversity can help us with policies to prevent discrimination, while multiculturalism can help us gain a deeper understanding of the differences between people. Hopefully, over time, rather than look at diversity as attaining numerical goals or complying with the law, we can combine the concepts to create better workplaces. Although many books discuss laws relating to diversity, not many actually describe why diversity is necessary in the workplace. Here are a few main reasons:

1. It is the law.
2. We can better serve customers by offering a broader range of services, such as being able to speak a variety of languages and understanding other cultures.
3. We can better communicate with one another (saving time and money) and customers.

Figure 10.1



While there may be no “money fairy,” diversity has proven to result in higher profits for companies.

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4. With a multicultural perspective, we can create better ideas and solutions.

Promoting a multicultural work environment isn't just the law. Through a diverse work environment and multicultural understanding, organizations can attain greater profitability. A study by Cedric Herring called *Does Diversity Pay?* Cedric Herring, "Does Diversity Pay? Racial Composition of Firms and the Business Case for Diversity" (paper presented at the annual meeting of the American Sociological Association, Montreal, Canada, August 11, 2006), accessed May 5, 2009, http://www.allacademic.com/meta/p101792_index.html. reveals that diversity does, in fact, pay. The study found those businesses with greater racial diversity reported higher sales revenues, more customers, larger market shares, and greater relative profits than those with more homogeneous workforces. Other research on the topic by Scott Page, the author of *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* Scott E. Page, *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* (Princeton, NJ: Princeton University Press, 2007). ended up with similar results. Page found that people from varied backgrounds are more effective at working together than those who are from similar backgrounds, because they offer different approaches and perspectives in the development of solutions. Often people believe that diversity is about checking a box or only providing window dressing to gain more customers, but this isn't the case. As put by Eric Foss, chairperson and CEO of Pepsi Beverages Company, "It's not a fad. It's not an idea of the month. It's central and it's linked very directly to business strategy." William J. Holstein, "Diversity Is Even More Important in Hard Times," *New York Times*, February 13, 2009, accessed August 25, 2011, <http://www.nytimes.com/2009/02/14/business/14interview.html>. A study by the late Roy Adler of Pepperdine University shows similar results. His nineteen-year study of 215 *Fortune* 500 companies shows a strong correlation between female executives and high profitability. Roy Adler, "Women in the Executive Suite Correlate to High Profits," Glass Ceiling Research Center. Another study, conducted by Project Equality, found that companies that rated low on equal opportunity issues earned 7.9 percent profit, while those who rated highest with more equal opportunities resulted in 18.3 percent profit. Melissa Lauber, "Studies Show That Diversity in Workplace Is Profitable," *Project Equality*, n.d., accessed July 11, 2011, <http://www.villagelife.org/news/archives/diversity.html>. These numbers show that diversity and multiculturalism certainly is not a fad but a way of doing business that better serves customers and results in higher profits for companies, while allowing us to get better at human relations skills. As employees, we need to recognize this so we may begin to understand our own power and privilege, which allows for better communication at work.

Perhaps one of the best diversity statements by a *Fortune* 500 company was made by Jose Manuel Souto, the CFO for Visa in Latin America. He says, "A diverse workforce

is critical to providing the best service to our global clients, supporting our business initiatives, and creating a workplace environment that promotes respect and fairness.”National Latina Business Women Association, “Women and Minorities on Corporate Boards Still Lags Far Behind National Population,” accessed August 24, 2011, <http://www.voxxi.com/minority-women-lagging/>.

The first step to being effective at working in a diverse environment is understanding that everyone comes from a different place of power and privilege, and as a result, everyone has a different perspective. Once we understand this, our understanding can translate into better verbal and nonverbal communication. These different perspectives are what makes companies successful, as we have discussed in this section.

Now that you have an understanding of the meaning of diversity, power, and privilege, as well as the importance of diversity, we will discuss multiculturalism and the law.

Why Human Relations?

Most of us will work in diverse environments, meaning diversity not only in terms of gender or race but also in terms of people of diverse backgrounds, perspectives, and socio-economic status. Appreciating and understand this diversity is what helps us be successful in our career path. **The ability to communicate effectively with a variety of people shows our relationship management and social awareness skills.**

The success in working in diverse environments can come through use of emotional intelligence skills such as relationship management and social awareness. These skills allow us to understand how another person feels or why they do something, even if we do not agree. These skills also allow us to be accepting of others and appreciate differences even though we may not like it.

Developing the skills to work in a multicultural environment can help us work with people from any variety of backgrounds and also helps us to communicate better with everyone we may come across, both professionally and personally. **These abilities, acceptance and understanding, are cornerstones to developing positive relationships that lead to positive human relations and work success.**

KEY TAKEAWAYS

- *Diversity* is the real or perceived differences between individuals. This can include race, gender, sexual orientation, size, cultural background, and much more.
- *Multiculturalism* is a term that is similar to diversity, but it focuses on development of a greater understanding of how power in society can be unequal due to race, gender, sexual orientation, power, and privilege.
- *Power and privilege* is a system of advantages based on one's race, gender, and sexual orientation. This system can often be invisible (to those who have it), which results in one race or gender having unequal power in the workplace. Of course, this unequal power results in unfairness, which may be of legal concern.
- *Diversity* is important to the success of organizations. Many studies have shown a direct link between the amount of diversity in a workplace and the company's success.

EXERCISES

1. Perform an Internet search to find a specific diversity policy for an organization. What is the policy? From what you know of the organization, do you believe they follow this policy in reality?
2. Visit the website <http://www.diversityinc.com> and find their latest "top fifty list." What criteria are used to appear on this list? What are the top five companies for the current year?

10.2 Multiculturalism and the Law

LEARNING OBJECTIVES

1. Define the role of the Equal Employment Opportunity Commission (EEOC).
2. Explain the various types of laws covered by the EEOC.

As we already know, it is in an organization's best interest to hire and promote a multicultural and diverse workforce. It is also in our best interest to work with a variety of people as it enables us to develop skills working with people who may not be exactly like us. Although most people believe in fairness, sometimes people are still discriminated against at work. As a result, a federal agency has been established to ensure employees have a place to file complaints should they feel discriminated against. Should you feel you have been discriminated against at work, knowing these laws can benefit you in knowing who to turn to for help.

Equal Employment Opportunity Commission (EEOC)

The **Equal Employment Opportunity Commission (EEOC)**⁴ is a federal agency charged with the task of enforcing federal employment discrimination laws. The laws include those that protect people from discrimination in all areas of employment, such as discrimination based on race, color, religion, sex, national origin, age, and disability. People who have filed a discrimination charge are also protected against discrimination under the EEOC. Employers with at least fifteen employees (twenty for age discrimination) are covered under the EEOC. This agency covers not only discrimination in hiring but also discrimination in all types of work situations such as firing, promotions, harassment, training, wages, and benefits. The EEOC has the authority to investigate charges of discrimination against employers. The agency investigates the claims, makes a finding, and then tries to settle the charge. If they are unsuccessful in settling the charge, the EEOC has the right to file a lawsuit on behalf of the complainants. The EEOC has headquarters in Washington, DC, with fifty-three field offices throughout the United States.

If a company has more than one hundred employees, a form called the EEO-1 must be filled out yearly. This form confirms the demographics of an organization based on different job categories. Equal Opportunity Employment Commission, *2011 EEO-1 Survey*, accessed December 20, 2010, <http://www.eeoc.gov/employers/eeo1survey>. An organization that employs more than fifty people and works for the federal

4. A federal agency charged with the task of enforcing federal employment discrimination laws.

government must also file an EEO-1 yearly, with the deadline normally in September. In addition, organizations must post the EEOC notice, which you have probably seen before, perhaps in the company break room. Finally, organizations should keep on file records such as hiring statistics in the event of an EEOC investigation.

It is necessary to mention here that while there is a legal compliance concern, as discussed before, it is in the company’s best interest to hire a diverse workforce. So while we can discuss the legal aspects, remember that the purpose of having a diverse workforce is not just to meet EEOC requirements but to create a better, more profitable workplace that better serves customers.

Table 10.1 How the EEOC Process Works and Requirements for Employers

| |
|---------------------------------------------------------------------------------------------------------------------------------|
| Requirements by EEOC |
| Post Federal and State EEOC notices |
| File yearly report called EEO-1 |
| Keep copies of documents on file |
| Process for Investigation |
| 1. The EEOC complaint is filed. |
| 2. The EEOC notifies the organization of the charges. |
| 3. The EEOC acts as a mediator between the employee and the employer to find a solution. |
| 4. If step 3 is unsuccessful, the EEOC will initiate an investigation. |
| 5. The EEOC makes a determination, and then the employer has the option of remedying the situation or face a potential lawsuit. |

EEOC Federal Legislation

While the EEOC is the larger governing body, many pieces of legislation relating to multicultural practices are part of the EEOC family of laws. Many of these laws began with **Title VII of the Civil Rights Act**⁵ in 1964. This act, enforced by the EEOC, covers several areas in which discrimination was rampant. However, a **bona fide occupational qualification (BFOQ)**⁶ is a quality or attribute employers are allowed to consider when making decisions during the selection process. Examples of BFOQs are a maximum age limit for airline pilots for safety reasons and a Christian college’s requirement that the president of the college be Christian.

5. This act, passed in 1964 and enforced by the EEOC, covers several areas of discrimination, including age, race, and sex.

6. A quality or attribute employers are allowed to consider when making decisions during the selection process.

These EEOC laws relate the following protected groups in terms of discrimination in the workplace:

1. Age
2. Disability
3. Equal pay
4. Genetic information
5. National origin
6. Pregnancy
7. Race/color
8. Religion
9. Retaliation
10. Sex
11. Sexual harassment

Age

Age discrimination involves treating someone less favorably because of his or her age. Created in 1967, the **Age Discrimination in Employment Act (ADEA)**⁷ is enforced by the EEOC. This law covers people who are age forty or older. It does not cover favoring an older worker over a younger worker, if the older worker is forty years or older. The law covers any aspect of employment such as hiring, firing, pay, job assignments, promotions, layoffs, training, fringe benefits, and any other condition or term of employment.

The law also goes deeper by forbidding harassment of someone based on age. While simple teasing or offhand comments are not covered, more serious offensive remarks about age are covered by this EEOC law.

Disability

The **Americans with Disabilities Act (ADA)**⁸ prohibits discrimination against those with disabilities and is enforced by the EEOC. Discrimination based on disability means treating a qualified person unfavorably because of a disability. For example, if someone has AIDS that is controlled, the employee cannot be treated unfavorably. The law requires an employer to provide **reasonable accommodation**⁹ to an employee or applicant with a disability, unless this accommodation would cause significant difficulty or expense for the employer. A reasonable accommodation is defined by the EEOC as any change in the work environment or in the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities. A reasonable accommodation might include making the

7. Created in 1967 and enforced by the EEOC, this law prohibits discrimination based on age and covers people who are age forty or older.

8. Prohibits discrimination against those with disabilities and is enforced by the EEOC.

9. A change in the work environment or the way things are customarily done that enables an individual with a disability to enjoy equal employment opportunities.

workplace accessible for wheelchair use or providing equipment for someone who is hearing or vision impaired.

This law does not mean that organizations are required to hire unqualified people. The law specifically states the person must be qualified for the job and have a disability defined by the law. A disability defined by the law can include the following:

1. Physical or mental condition that limits a major life activity (walking, talking, seeing, hearing, or learning)
2. History of a disability (e.g., cancer that is in remission)
3. Physical or mental impairment that is not transitory (lasting or expected to last less than six months)

The law places limits on employers when it comes to asking job applicants questions about medical history or asking a person to take a medical exam.

Equal Pay/Compensation

The basis of this law is that people are paid the same for the same type of work, and the law specifically addresses gender pay differences. Rather than job title, job content is used to determine if the job is the same work. In addition to covering salary, it deals with overtime pay, bonus, stock options, profit sharing, and other types of bonus plans such as vacation and holiday pay. If inequality in pay is found, the employer cannot reduce the wages of either sex to equalize the pay.

An employee who files an equal pay charge has the option to go directly to court rather than the EEOC.

Genetic Information

This law is one of the newer EEOC laws, which took effect in November 2009. The EEOC's definition of genetic information includes family medical information or information about the manifestation of a disease or disorder in an individual's family. For example, an employer cannot discriminate against an employee whose family has a history of diabetes or cancer. This information could be used to discriminate against an employee who has an increased risk of getting a disease and may make health care costs more expensive for the organization.

In addition, the employer is not allowed to seek out genetic information by requesting, requiring, or purchasing this information. However, there are some situations in which receiving this information would not be illegal:

1. A manager or supervisor overhears an employee talking about a family member's illness.
2. Information is received based on wellness programs offered on a voluntary basis.
3. If the information is required as documentation to receive benefits for the Family and Medical Leave Act (FMLA). FMLA will be discussed in the section about pregnancy.
4. If the information is commercial, such as the appearance of information in a newspaper, as long as the employer is not specifically searching those sources for the purpose of finding genetic information.
5. If genetic information is required through a monitoring program that looks at the biological effects of toxic substances in the workplace.
6. For those professions that require DNA testing, such as law enforcement agencies. In this case, the genetic information may only be used for analysis in relation to the specific case at hand.

This law also covers how information about genetics should be kept. For example, genetic information must be kept separate from an employee's regular file.

National Origin

It is illegal to treat people unfavorably because they are from a particular country or part of the world, because of their accent, or because they appear to be of a particular descent (even if they are not). The law protecting employees based on national origin refers to all aspects of employment: hiring, firing, pay, job assignments, promotions, layoffs, training, and fringe benefits. An employer can require an employee to speak English only if it is necessary to perform the job effectively. An English-only policy is allowed only if it is needed to ensure the safe or efficient operations of the employer's business. An employer may not base an employment decision on a foreign accent, unless the accent seriously interferes with job performance.

Pregnancy

This section of the EEOC refers to the unfavorable treatment of a woman because of pregnancy, childbirth, or a medical condition related to pregnancy or childbirth. The Pregnancy Discrimination Act of 1978, added to the Civil Rights Act of 1964, is enforced by the EEOC. The female who is unable to perform her job owing to

pregnancy must be treated the same as other temporarily disabled employees. For example, modified tasks or alternative assignments should be offered. This law refers not only to hiring but also to firing, pay, job assignments, promotions, layoffs, training, and fringe benefits. In addition to this law against discrimination of pregnant women, the **Family and Medical Leave Act (FMLA)**¹⁰ is enforced by the US Department of Labor. US Department of Labor, *Leave Benefits: Family and Medical Leave*, US Department of Labor, accessed December 20, 2010, <http://www.dol.gov/dol/topic/benefits-leave/fmla.htm>. The FMLA requires companies with fifty or more employees to provide twelve weeks of unpaid leave for the following:

1. Birth and care of a newborn child
2. Care of an adopted child
3. Care for immediate family members (spouse, child, or parent) with a serious health condition
4. Medical leave for the employee who is unable to work because of a serious health condition

In addition to the company size requirement, the employee must have worked at least 1,250 hours over the past 12 months.

Race/Color

This type of discrimination refers to treating someone unfavorably because he or she is of a certain race or because of certain characteristics associated with race. These characteristics might include hair texture, skin color, or facial features. Discrimination can occur when the person discriminating is the same race or color of the person who is being discriminated against. EEOC law also protects people who are married to or associated with someone of a certain race or color. As with the other types of antidiscrimination laws we have discussed, this law refers not only to the initial hiring but also to firing, pay, job assignments, promotions, layoffs, training, and fringe benefits.

Religion

This part of the EEOC refers to treating a person unfavorably because of their religious beliefs. This law requires a company to reasonably accommodate an employee's religious beliefs or practices, unless doing so would burden the organization's operations. For example, allowing flexible scheduling during certain religious periods of time might be considered a reasonable accommodation. This law also covers accommodations in dress and grooming, such as a headscarf, religious dress, or uncut hair and a beard in the case of a Sikh. Ideally, the employee

10. This law gives twelve weeks of unpaid leave for childbirth, adoption, or caregiving of sick family members.

or applicant would notify the employer that he or she needs such an accommodation for religious reasons, and then a discussion of the request would occur. If it wouldn't pose hardship, the employer should honor the request. If the request might cause a safety issue, decrease efficiency, or infringe on the rights of other employees, it may not be honored.

Sex and Sexual Harassment

Sex discrimination involves treating someone unfavorably because of their sex. As with all EEOC laws, this relates to hiring, firing, pay, job assignments, promotions, layoffs, training, and fringe benefits. This law directly ties into sexual harassment laws, which include unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature. The victim can be male or female, and sexual harassment can occur female to female, female to male, male to female, and male to male.

Harassment at Yale?

[\(click to see video\)](#)

This 2011 video outlines a sexual harassment lawsuit at Yale University. The video shows that the lawsuit blamed Yale not for the harassment but for not taking a harder stand on this type of harassment.

Retaliation

In all the laws mentioned, the EEOC set of laws makes it illegal to fire, demote, harass, or retaliate against people because they filed a charge of discrimination, complained about discrimination, or participated in employment discrimination proceedings. Perhaps one of the most high-profile sexual harassment and retaliation cases was that of *Sanders v. Thomas*. Isiah Thomas, then coach of the New York Knicks, fired Anucha Browne Sanders because she hired an attorney to file sexual harassment claims charges. The jury awarded Browne Sanders \$11.6 million in punitive charges because of the hostile work environment Thomas created and another \$5.6 million because Browne Sanders was fired for complaining. Michael Schmidt, "Jury Awards \$11.6 Million to Former Knicks Executive," *New York Times*, October 2, 2007, accessed July 12, 2011, <http://www.nytimes.com/2007/10/02/sports/basketball/03garden-cnd.html>. A portion of the lawsuit was to be paid by Madison Square Garden and James Dolan, chairman of Cablevision, the parent company of Madison Square Garden and the Knicks. Browne Sanders's lawyers successfully argued that the inner workings of Madison Square Garden were hostile and lewd and that the former marketing executive of the organization subjected her to hostility and sexual advances. Thomas left the organization as coach and president in 2008. As in this case, there are large financial and public relations

penalties not only for sexual harassment but also for retaliation after a harassment suit has been filed.

Military Service

The Uniformed Services Employment and Reemployment Rights Act (USERR) protects people who serve or have served in the armed forces, Reserves, National Guard, or other uniformed services. The act ensures these individuals are not disadvantaged in their civilian careers because of their service. It also requires they be reemployed in their civilian jobs upon return to service and prohibits discrimination based on past, present, or future military service.

KEY TAKEAWAYS

- The *Equal Employment Opportunity Commission (EEOC)* is a federal agency charged with the development and enforcement of laws relating to multiculturalism and diversity in the workplace.
- The EEOC covers discrimination based on several areas. Companies cannot discriminate based on age; EEOC law covers people who are forty years or older.
- Employers cannot discriminate against people with disabilities and must provide reasonable accommodations, such as the addition of a wheelchair ramp to accommodate those with disabilities.
- Equal pay refers to the fact that people should be paid the same amount for performing the same type of work, even if the job title is different.
- The newest addition to EEOC law prohibits discrimination based on genetic information, such as a history of cancer in a family.
- Unfavorable treatment of people because they are from a particular country or part of the world or have an accent is covered by the EEOC. An organization cannot require people to speak English, unless it is a requirement for the job or needed for safety and efficient operation of the organization.
- Women can't be discriminated against because they are pregnant. The inability to perform certain tasks due to pregnancy should be treated as a temporary disability; accommodation can be in the form of modified tasks or alternative assignments.
- The EEOC protects people from discrimination based on their race or color.
- Religion is also an aspect of the EEOC family of laws. The protection of religion doesn't allow for discrimination; accommodations include modifications of work schedules or dress to be made for religious reasons.
- Discrimination on the basis of sex is illegal and covered by the EEOC. Sexual harassment is also covered by the EEOC and states that all people, regardless of sex, should work in a harassment-free environment.
- Retaliation is also illegal. An organization cannot retaliate against anyone who has filed a complaint with the EEOC or a discrimination lawsuit.
- The US Department of Labor oversees some aspects of EEOC laws, such as the *Family and Medical Leave Act (FMLA)*. This act requires organizations to give twelve weeks of unpaid leave in the event of an adoption, a birth, or a need to provide care to sick family members.

EXERCISES

1. Visit the EEOC website at <http://www.eeoc.gov> and explain the methods an employee can use in filing a complaint with the EEOC.
2. If an employer is found to have discriminated, what are some “remedies” listed on the EEOC website?

10.3 Chapter Summary and Case

CHAPTER SUMMARY

- *Diversity* is the real or perceived differences between individuals. Diversity can include race, gender, sexual orientation, size, cultural background, and many other differences. *Multiculturalism* is similar to diversity but focuses on the development of a greater understanding of how power in society can be unequal because of race, gender, sexual orientation, power, and privilege.
- *Power and privilege* is a system of advantages based on one's race, gender, and sexual orientation. This system can often be invisible (to those who have it), which results in one race or gender having unequal power in the workplace. Of course, this unequal power results in unfairness, which may be a legal concern.
- *Diversity* is important to the success of organizations. Many studies have shown a direct link between the amount of diversity in a workplace and the success of the company.
- The *Equal Employment Opportunity Commission (EEOC)* is a federal agency charged with development and enforcement of laws relating to multiculturalism and diversity in the workplace.
- The EEOC covers discrimination based on several areas. Companies cannot discriminate based on age—that is, against someone who is forty or older. They also can't discriminate against people with disabilities or on the basis of race, genetic information, national origin, gender, or religion.
- Retaliation is also illegal, based on EEOC laws. An organization cannot retaliate against anyone who has filed a complaint with the EEOC or a discrimination lawsuit.
- The US Department of Labor oversees some aspects of EEOC laws, such as the *Family and Medical Leave Act (FMLA)*. This act requires organizations to give twelve weeks of unpaid leave in the event of an adoption, birth, or caregiving of sick family members.

CHAPTER CASE

But...It's Our Company Culture!

You are the manager for a fifty-person firm that specializes in the development and marketing of plastics technologies. When you were hired, you felt the company had little idea what you should be paid and just made up a number, which you were able to negotiate to a slightly higher salary. While you have been on the job for three months, you have noticed a few concerning things in the area of multiculturalism, besides the way your salary was offered. The following are some of those items:

1. You know that some of the sales team, including the sales manager, get together once a month to have drinks at a strip club.
2. A Hispanic worker left the organization, and in his exit interview, he complained of not seeing a path toward promotion.
3. The only room available for breast-feeding mothers is the women's restroom.
4. The organization has a policy of offering \$200 to any employee who refers a friend, as long as the friend is hired and stays at least six months.
5. The manufacturing floor has an English-only policy.
6. You have heard managers refer to those wearing turbans in a derogatory way.

What do you think needs to be done to create a more inclusive environment without losing the culture of the company? What suggestions would you make to those involved in each of the situations?