

BUS570 – Business Ethics

Week 8

Summary Points

Discrimination in employment involves adverse decisions against employees or job applicants based on their membership in a group that is an object of prejudice or viewed as inferior or deserving of unequal treatment. Discrimination can be intentional or unintentional, institutional or individual.

Summary Points

Statistics, together with evidence of deep-seated attitudes and institutional practices and policies, point to racial and sexual discrimination in the workplace.

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The Civil Rights Act of 1964 forbids discrimination in employment on the basis of race, color, sex, religion, and national origin. In the late 1960s and early 1970s, many companies developed affirmative action programs to correct racial imbalances existing as a result of past discrimination. Critics charge that in practice affirmative action has often meant preferential treatment of women and minorities and even reverse discrimination against white men.

Summary Points

The Supreme Court has adopted a case-by-case approach to affirmative action. Although the legal situation is complex, in a series of rulings over the years a majority of the Court has upheld the general principle of affirmative action, as long as such programs are moderate and flexible. Race can legitimately be taken into account in employment decisions, but only as one among several factors. Affirmative action programs that rely on rigid and unreasonable quotas or that impose excessive hardship on present employees are illegal.

Summary Points

The moral issues surrounding affirmative action are controversial. Its defenders argue that compensatory justice demands affirmative action programs; that affirmative action is needed to permit fairer competition; and that affirmative action is necessary to break the cycle that keeps minorities and women locked into poor-paying, low-prestige jobs.

Summary Points

Critics of affirmative action argue that affirmative action injures white men and violates their rights; that affirmative action itself violates the principle of equality; and that nondiscrimination (without affirmative action) will suffice to achieve our social goals.

Summary Points

The doctrine of comparable worth holds that women and men should be paid on the same scale for doing different jobs if they involve equivalent skill, effort, and responsibility.

Summary Points

Advocates of comparable worth say that women have been shunted into low-paying jobs, that they suffer from a discriminatory labor market, and that justice requires that they receive equal pay for doing jobs of equal worth. Some contend further that monetary reparations are due to women who in the past have not received equal pay for work of equal value.

Summary Points

Opponents of comparable worth claim that women have freely chosen their occupations and are not entitled to compensation. They contend that only the market can and should determine the value of different jobs. Revising pay scales would also be expensive.

Summary Points

Sexual harassment is widespread. It includes unwelcome sexual advances and other conduct of a sexual nature in which submission to such conduct is a basis for employment decisions (quid pro quo) or such conduct substantially interferes with an individual's work performance (hostile work environment). Sexual harassment is a kind of discrimination and is illegal.

Summary Points

Employees encountering sexually harassing behavior from coworkers should make it clear that the behavior is unwanted. If it persists, harassed employees should document the behavior and report it to the appropriate person or office in the organization. In the case of sexual threats or offers from supervisors, they should do this immediately. If internal channels are ineffective, employees should seek legal advice.