

Diverse workforce

Break out of the 'in my image' mentality

Question:

Your article in the June 22 issue of *Small Business Times* was informative and timely. Working in human resources, I know the challenges confronted by women and individuals from minority groups. At my company, we emphasize attracting and retaining minority employees. I'd appreciate it very much if you could address some of the things companies can do to achieve a diverse workforce.

Answer:

The article that the reader references concerned the issue of the "glass ceiling," invisible, but real barriers that limit opportunities for women and individuals from minority groups. In this article, I'll spend time talking about issues related to recruiting and attracting minority employees.

At the outset, let me observe that

recruitment efforts take place within the context of a plethora of legislation. As the goal of a diverse workforce is pursued, the organization must make sure it is not engaging in discriminatory practices.

There are two general categories of discrimination: (1) disparate treatment and (2) adverse impact. Disparate treatment occurs when individuals are treated differently due to membership in a particular racial, gender, religious, or ethnic group. Adverse impact occurs when employment practices unintentionally have negative consequences for members of protected groups (i.e., when the same standards are applied to all applicants or employees but the standard differentially affects a particular group).

Over the last 40-plus years there have been some very important pieces of legislation enacted. Title VII of the Civil Rights Act of 1964 prohibited discrimination on the basis of race, color, religion, national origin, and gender. Covered entities were private employers with over 25 employees, employment agencies, unions, and joint labor-management committee. The Equal Employment Act of 1972 strengthened Title VII by modifying the coverage to include private employers with 15 or more employees.

The Age Discrimination in Employment Act (1967) prohibited discrimination of individuals from 40 to 65 years of age. It was amended in 1978 to increase the ceiling age to 70, which was then eliminated entirely in 1987.

Title I of The Americans with Disabilities Act of 1990 applies to all employers with 15 or more employees and prohibits employment discrimination against individuals with disabilities who can perform the essential functions of the job with or

without reasonable accommodation. According to the ADA, disabled individuals are those who have a physical or mental impairment that substantially limits their ability to perform one or more major life activities.

The Civil Rights Act of 1991 strengthened the Civil Rights Act of 1964. It prohibited quotas and race norming. It clarified that the burden of proof lies with the employer once the employee files a complaint and shows justification for it. It allowed for collection of both punitive and compensatory damages. Finally, it established a Glass Ceiling Commission to investigate under-representation of minorities in high-level positions

The Uniform Guidelines on Employment Selection Procedures of 1978 are particularly important relative to an organization's employment selection practices. The Uniform Guidelines provide the characteristics of acceptable selection procedures as agreed upon by the EEOC, the Departments of Labor and Justice, and the Civil Service Commission. Any selection procedure that has adverse impact against members of any protected group is illegal under Title VII, unless justified by business necessity

Adverse impact, within the context of the Uniform Guidelines is demonstrated according to what is known as the 80 percent or four-fifths rule. Basically, the four-fifths rule indicates that if the percentage of a particular protected group chosen by a specific selection method is less than four-fifths (i.e., 80 percent) of the majority group chosen, adverse impact is indicated.

It is worth noting, as well, that according to the Uniform Guidelines, any selection method is covered, not just scored or formal selection methods such as tests.

Interviews, reference checks, application blanks, etc. all fall within the same bucket. The message in this is that the organization must be sure that the methods it is using to screen candidates are sound. To defend a given selection procedure, a statistical validation study is typically necessary.

Space does not allow me to summarize the long list of related Constitutional Amendments and Acts and major Supreme Court cases, but the conclusion is an obvious one – employment discrimination is serious business. Organizations must do whatever they can to ensure that they are operating in good faith and engaging in non-discriminatory practices.

Let me also observe that cast in the light of today's business environment, in which the cost of having employees on the company's book can easily account for 40 percent or more of total operating overhead, making good hiring decisions has never been more important. Companies must make sure that they have highly effective practices related to identifying and acquiring the most talented employees.

In an increasingly heterogeneous workforce, this also means making sure these practices yield a diverse mix of employees. Indeed, current census projections suggest that by 2050 ethnic minorities will constitute at least 47 percent of the U.S. population. It is also expected that by 2013 Hispanics will be the second-largest racial group, moving ahead of African-Americans and behind only White Americans.

It is worth noting, too, that diversity carries some very real productivity and economic benefits. For example, the Selig Center for Economic Growth has estimated that \$1.4 trillion is the current buying power of African Americans, Asians, and Native Americans. Research by McLeod and colleagues has demonstrated that ethnically diverse teams produce more feasible and effective ideas.

So, what can employers do to ensure that they are doing an effective job recruiting diverse workers? For starters, they can examine the kinds of messages they are sending via their identity and collateral materials, Web site, advertisements, etc. A general finding is that organizations tend to craft positive images of themselves in order to be perceived positively by job seekers.

In order to attract diverse workers, though, diverse images must be presented. Support for this conclusion comes from a study by Perkins and colleagues that demonstrated diverse images of potential employers positively influenced feelings of compatibility of minority job candidates.

Organizations that are concerned about effectively attracting and recruiting diverse employees are also advised to examine whom they have filling the important role of recruiter. Here again, the research tells an interesting story in that recruiter demographic membership tends to make a difference to minority job candidates. Specifically, diversity researchers Thomas and Wise have found that recruiter characteristics like race, gender, personality, and knowledge are

more important to minority than non-minority candidates.

Additionally, employers are urged to examine the behaviors in which recruiters engage. Generally speaking, when the recruiter's behavior is evaluated more positively, applicants are more likely to apply for a job with the organization. Further, when the recruiter is viewed as knowledgeable and informative, applicants are more likely to apply for a job with the organization

If all of this sounds like a lot of impression management, I think you're over-simplifying things. The point is that to become more diverse, the organization has to diversify its practices. Presenting the same old images, using the same old sources, employing the same old recruiters is likely to yield the same old kinds of candidates. To break out of the "in my image" phenomenon in which non-minority managers (e.g., white males) select employees who share their characteristics, the organization must adopt a new course.



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