Diversity issues in the engineering workplace

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Why are diversity issues important?
- As an employee you need to know your rights and responsibilities.
- As a supervisor you need to know your responsibilities.

We will consider the issue from a legal point of view.
- What does the United States law require?
- What issues are found in an engineering workplace?
- Minimalist model of responsibility.

Discrimination
- Equity is treating the same that which is the same and treating differently that which is different.
- The courts have ruled that we are not entitled to the equal protection clause of the Fourteenth Amendment unless we are “similarly situated.”
  - All of us are equal, but some are more equal than others.
  - George Orwell, *Animal Farm*.
- Aristotle defended slavery and thought that women should not be citizens.

Discrimination, cont’d...
- “Man is born free; and everywhere he is in chains.”
- “I see two kinds of inequity in the human race:
  - One, which I call natural or physical inequity because it is established by nature, consists in differences of age, health, bodily strength, and qualities of the mind or the soul.
  - The other can be called moral or political inequality because it depends on a kind of agreement and is established, or at least authorized, by the consent of men.”
  - Jean-Jacques Rousseau, *Discourse on the Origin and Basis of Inequality among Men*.

Discrimination cases...
- Case one: Hiring
  - A female who appears pregnant applies for a job requiring 50% travel. Can you ask her if she is pregnant? Can you refuse to hire her because she is pregnant, or would that be discrimination?
- Case two: Discipline
  - One of your minority engineers is late for work three times in the last three months. Can you discipline him by assigning him all the bad jobs, or would that be discrimination?
- Case three: Layoff
  - You must lay off one of two engineers. Tom is 58 years old, has 30 years of solid performance, and has talked about retirement. Mary is 24, has made a few rookie mistakes in her one year on the job, but has great potential. Can you lay off Tom and not be guilty of discrimination?
Discrimination, cont’d...

- Discrimination means, in this context, treating differently.
- Prejudice is a general feeling of dislike for people based upon some characteristic they have.
- Title VII of the Civil Rights Act of 1964 defines protected groups from a federal standpoint: race, color, religion, sex, national origin, age, disability, and veteran status.
- Discrimination can occur in any personnel decision: hiring, promotion, demotion, transfer, pay, training, layoff, termination.

Discrimination, cont’d...

- Discrimination may be conscious or unconscious, intentional or unintentional.
- The ‘auditing’ method for documenting informal discrimination.
  - Application stage: Both treated equally.
  - Interview stage: The white got 9 favorable interviews, the black got 3.
  - Offer stage: The white got 8 offers, the black got 4.

Study conducted by the Urban Institute in 1990.

Discrimination, cont’d...

- Guiding principles:
  - Consider only job related factors when making personnel decisions.
  - Establish fair processes for making personnel decisions and follow them.
  - Document your decisions.

Sexual harassment cases

- Case one: The persistent suitor.
  - Tom persistently asks Mary out on dates. Mary, in increasingly blunt language, continually says no. If Tom continues his pursuit of a date with Mary, is it sexual harassment?

- Case two: Too close for comfort.
  - Tom is Mary’s boss. Mary is working at her desk on the computer. Tom comes up to her, stands very close, puts a hand on one of her shoulders and points to the computer screen with the other hand over her other shoulder. Is that sexual harassment?

- Case three: The risqué birthday card.
  - Tom gives Mary, a co-worker, a risqué birthday card. Is that sexual harassment?

- Case four: Pornography on your computer.
  - Is it sexual harassment to have pornography in your desk? Is it sexual harassment to download pornography from the web to your company computer?

Sexual harassment

- Sexual harassment is any unwelcome or unsolicited sexual advances or innuendoes, request for sexual favors, or other verbal or physical conduct of a sexual nature, that creates a hostile or offensive work environment.

- What should I do if I experience sexual harassment?
  - Confront the harasser
  - Contact your supervisor, or supervisor’s manager
  - Contact Human Resources
  - Seek outside help
**Sexual harassment, cont’d.**

**Types of discipline**
- A verbal warning
- A written warning
- Suspension
- Mandatory awareness training
- Transfer
- Demotion
- Probation
- Termination

**Sexual harassment—special computer issues**
Most companies now have specific policies that prohibit use of company computers to access, forward or view sexually explicit material. Company computers are normally provided for business purposes only. Employees are often warned that:
- They should not expect that their use of these systems is private
- Computer usage may be monitored
- Security of their access (passwords and user IDs) should be protected
- Inappropriate use can result in discipline

**Sexual harassment—supervisors’ role**
As a supervisor you play a special role:
- If you are guilty of sexual harassment, it is much more serious.
- If you know of sexual harassment, the company is on notice. You are considered an agent or officer of the company. The company must act.
- Zero tolerance policy.

**Affirmative action**
Affirmative action is, basically, an attempt to make the results of personnel decisions look like the "feeder" group.
- If the pool of candidates you hire from is 20% female (the feeder group), the resulting hires should be 20% female.
- If the pool of employees is 30% minority (the feeder group), your terminations for cause should not be over 30% minority.
- If the percentages result in adverse impact on minorities or females, then the burden of proof shifts to the company to demonstrate that they have not discriminated.

**Affirmative action, cont’d.**
Federal Executive Order 11246 requires companies who are government contractors and who employ 50 or more workers to maintain an affirmative action plan for females and minorities.
- Minorities are defined as Blacks, Hispanics, Asians or Pacific Islanders, and Native Americans.
- The Office of Federal Contract Compliance Programs (OFCCP) audits affirmative action plans.
Diversity

Diversity is an environment wherein differences are valued and integrated into every part of an organization. Diversity also encompasses appreciation for the richness and strengths brought to one’s organization by different perspectives, attitudes, and approaches.

Examples of diversity: age, sex, race, religion, education, political affiliation, marital status, union/non-union, language, work style, culture, global values.

Equal employment opportunity and affirmative action have a legal focus.

Diversity has a business focus.

Diversity, cont’d

There seems to be a case for diversity from a business perspective. Here is a utilitarian analysis.

Diversity affects a business from two major perspectives: internal productivity and external market value.

Internal productivity is how effectively and efficiently an organization’s products and services are produced.

External market value refers to the efficiency and creativity utilized in capturing market share.

Diversity, cont’d.

Arguments for diversity from an internal productivity perspective.

- Hiring qualified technical candidates will require reaching out to a more diverse group.
- Between 1990 and 2005, 85% of new entrants into the U.S. workforce will be minorities, women, and immigrants. Only 15% will be white males.
- Between 1986 and 1997, the fraction of engineering degrees awarded to women has increased from 13% to 19%. Minority recipients have increased from 10% to 23%.
- The acceleration of change in the world is requiring workforces to adapt to new environments and issues. This requires creative ideas; something for which diverse workforces are best suited.

The Cascades Adventure exercise.

You are one of 30 people participating in a desktop exercise. You are to imagine a plane going down in the Cascade Mountains in the middle of winter. You survive but, because of a winter storm, do not expect to be rescued for over two weeks. You are given a list of items (rope, bucket, gun, matches, etc.) that you are to prioritize, based on what is most important for your survival.

You are then placed in groups of six people and redo the exercise by coming to consensus with the other five participants. Typically over 90% of the group decisions are more accurate than the individual decisions. The interpretation of this is that diversity improves decision making for unique problems.

Diversity, cont’d.

Arguments for diversity from an external market value perspective.

In search of new markets, businesses must recognize no borders. Customers have an unlimited number of sources to fit their needs.

To capture market share, we must understand and accept other cultures.

The best way to serve a diverse customer marketplace is to look and think like them.