INTRODUCTION

You’ve heard about workplace diversity, but how much do you really know about it? First of all, diversity is important to your employer. Your employer doesn’t want to place the future of the organization in the hands of just one type of employee. For example, employers know they need both engineers and salespeople, not just one group or the other. Organizations need all kinds of skills, personality traits, and life experiences to succeed. Employee diversity can help ensure that an employer has a broad variety of skills and experiences at its service.

Employers that are committed to having a diverse workforce want to create a workplace in which everyone — regardless of race, age, ethnicity, religion, sex, physical capabilities or disabilities, national origin, sexual orientation, socioeconomic background, personality, talents, problem-solving styles, or any of the other many factors that make us who we are — can contribute his or her best efforts to the organization. Diversity in your workplace is really about creating an atmosphere in which all employees can work together courteously and effectively, despite their differences.
Diversity is all around you. When you look around your organization, you probably see people you didn’t grow up with or go to school with. You see people who don’t look like you, who are older or younger, who hold different values, and who practice different faiths. The United States is home to a greater variety of people than ever before, and your workplace probably reflects that reality. Or if it doesn’t yet, it probably soon will.

At the same time, diversity, for all of its benefits, can present challenges of its own, including discrimination and harassment problems. While harassment gets most of the headlines, discrimination complaints and lawsuits continue to be major problems in workplaces.

As with most employment matters, you as an employee are a major player when it comes to preventing discrimination in your workplace. The first step is reading this booklet, Basic Training for Employees: Diversity and Discrimination. Your employer bought it for you to give you the tools to confidently do your job while embracing your co-workers’ diversity and avoiding discrimination and harassment. Read through the booklet, and we’ll give you enough information to spot potential problems in the future. Then stick the booklet on your shelf — you never know when you might need it.

DISCRIMINATION DURING THE ‘BAD OLD DAYS’

Back in the olden days — say, the 1950s — employers didn’t worry about discrimination because it was legal. White men had the best jobs and the highest pay. Women were generally expected to stay home and raise the kids, or they could do “women’s work” and pursue jobs as teachers, secretaries, or
nurses. A man would often be paid more than a woman for doing the exact same work since the man was supposed to bring home the bacon. Employees were often forced to retire at age 65 whether they wanted to or not. As for African Americans and other minorities . . . they were often stuck with low-paying jobs that whites didn’t want.

Today, such blatant discrimination seems foreign to us, since it was outlawed by Title VII of the Civil Rights Act of 1964, known as Title VII. That’s the primary federal law that prohibits employment discrimination based on the protected classes of race, color, gender, religion, and national origin. There’s still plenty of discrimination today, but it’s not as blatant as it used to be.
DISCRIMINATION IS ALL ABOUT PROTECTED CLASSES

In a nutshell, illegal discrimination occurs when employees or job applicants are treated adversely or less favorably than others because of their protected class. You’re probably familiar with many of the following protected classes, but there are also a few you might not be familiar with:

- Race;
- Color;
- Gender/sex (including pregnancy);
- National origin;
- Citizenship;
- Age;
- Military service;
- Union activity;
- Disability; and
- Religion.

Illegal discrimination boils down to an individual’s motive for taking action against an employee. For example, it’s perfectly legal to fire an African-American sales representative for missing his quarterly sales goal. But if your employer doesn’t fire the white employees who also missed their sales goals, it looks like race discrimination unless your employer has a legitimate reason to treat them differently.
RACE

Title VII protects all races, including African Americans, Caucasians, Hispanics, Asians, etc. When you think of race discrimination, you may think first of whites discriminating against African Americans. Unfortunately, this problem still continues today. However, these are not the only races that may be involved in racial discrimination. Other groups can also be victims of racial discrimination:

- Whites can be victims of racial discrimination.
- Hispanics are frequent victims of discrimination based on their race and national origin.
- Since 9/11, people from the Middle East have suffered a lot of discrimination based on their race, national origin, and religion.

In addition, the victim can be the same race as the perpetrator or a different race. You might have a Hispanic supervisor discriminating against an African American, a Native American discriminating against a white employee, or an Asian American discriminating against another Asian American. If it’s based on race, then it could be racial discrimination.

COLOR

Title VII also prohibits discrimination based on “color.” In a discrimination context, the term “color” usually means the same thing it normally does — pigmentation, complexion, or skin shade or tone. Discrimination based on color occurs when employees are discriminated against because of their lightness, darkness, or other color characteristic.
This category is commonly lumped together with race because they usually mean the same thing — a person of one race discriminating against a person of another race. However, there are a few instances of color-based discrimination. For example, it’s illegal for a light-skinned Indian American to discriminate against an Indian-American co-worker because his or her skin is darker.

**GENDER/SEX**

Title VII protects both sexes. Either a dislike of or an attraction toward one gender could motivate a perpetrator. For example, a female supervisor who thinks women are easier to work with may discriminate against a male applicant by hiring a less-qualified woman.

◆ **Equal Pay Act (EPA).** One type of sex discrimination historically has been to pay a woman less than a man for doing the same work. The EPA requires equal pay for men and women who perform equivalent work. If a man and a woman in your department are getting significantly different pay for the same work, your employer needs to have a legitimate reason for the difference. Such legitimate reasons may include experience, education, skill, or productivity.