

The Value of Fair Treatment in the Workplace

Name

Course

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Date

## Introduction

Age, being or becoming a transsexual person, being married or in a civil partnership, being pregnant or on maternity leave, physical or mental disability, race, nationality, ethnic or national origin religion, belief or lack of religion/belief, sex and sexual orientation are all part of the freedom of choice given to the human race since the very moment they are born. However, some of them represent discriminatory elements for some people. There millions of workers around the world suffering the consequences of racism, sexism and other kinds of prejudices. Harassment at the office is one of the main reasons for leaving a job, and the United States is no exception: thousands of people in the country are victims of this situation.

Benefits and costs of voluntarily prohibiting three to five (3-5) federal forms of discrimination prohibited under the federal anti-discrimination laws

Any kind or form of discrimination can lead a business or company to report losses in their balances. It goes without saying that every dollar not being earned is a dollar being lost, and many dollars can be lost if a company is known to support discriminatory practices or if it shows indifference regarding the subject (Stypinska & Turek, 2017). For arguments' sake, let's assume that the five federal forms of discrimination that will be prohibited by the company are age, gender, sexual orientation, religion and race. The benefits of voluntarily prohibiting these federal forms of discrimination prohibited under the federal anti-discrimination laws are many. First of all, such protections would lead to cultural change by sending a powerful message regarding equality in all of its forms. One thing need to be refreshed: public image is more important now than it was 20 years ago, and will be even more important in 2025:

there is just too much at stake to risk losing everything by having a bad public image (Jones et al, 2017).

Forbidding these forms of discrimination in the workplace of this specific retailer would lead to greater national consistency in anti-discrimination protections for the present and the future. If the United States Supreme Court were to allow companies to implement and condone discrimination practices, at least the national retailer represented would serve as an example for other companies and businesses in the country (Victor et al, 2017). Discrimination could be costly. According to “The Costly Business of Discrimination”, a thorough investigation essay published by the Center for American Progress and written in 2012 by Crosby Burns, American companies lose up to 64 billion dollars because of discrimination practices by that year. Mistreated workforce leave their job positions every year at alarming rates and those \$64 billion represent the cost that employers need to spend to replace said people, victims of abuse in their respective work environments (Berry et al, 2017).

Benefits and costs of voluntarily prohibiting a form of discrimination not covered by any of the federal anti-discrimination laws

For as much coverage that has been achieved over time by legal instruments such as the Title VII of the Civil Rights Act of 1964; the Equal Pay Act of 1963 (EPA), the Age Discrimination in Employment Act of 1967 (ADEA), the Title I and Title V of the Americans with Disabilities Act of 1990, as amended (ADA), the Sections 501 and 505 of the Rehabilitation Act of 1973, and the Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA), as well as the Civil Rights Act of 1991, there is one notable group that has been left unprotected nationwide: gays and transgender.

However, protection against discrimination and harassment regarding sexual orientation and gender identity varies from state to state in the USA (Victor et al, 2017). Some states are more active than others when it comes to regulation against these attacks to the workplace peace. Sexual orientation and gender identity should not represent a factor for harassment in the workplace, and should fall in the same category as other indicators already protected by legal instruments in the United States of America (Ragins et al, 2017).

There has been stated that, by 2025, the public image of an enterprise will be just as important as it is know, if not more. Reputation is very important in today's corporate world and there is no indication that it won't be in the future (Berry et al, 2017). For this reason, and given the hypothetical scenario of the Supreme Court declaring all laws prohibiting discrimination in the workplace to be unconstitutional, but leaving the door open for businesses to install and respect their own rules if they so decide, the retailer represented in this report will benefit from getting a boost in the public's eyes by being pioneers in protecting their LGBT employees against harassment and unfair treatment (Stypinska & Turek, 2017). Costs can be minimal, but existent, nonetheless. Legal expenses for consulting and coming up with a set of rules that adapt well with the workplace would be necessary, but implementing the rules would not cost the company more than a successful and creative campaign within the enterprise to increase awareness in this matter (Ragins et al, 2017).

There are benefits, clear ones for that matter, in adopting practices that are anti discrimination in nature. A company stands to benefit from making important decisions in the hiring and recruitment processes judging only talent, skill, academic brilliance and possibilities of succeeding in the job than irrelevant factors such as sexual

orientation, gender, age, nationality, upbringing, marital status and others (Victor et al, 2017).

If a business includes those characteristics in the decision process in hiring its talent, they can be in a competitive disadvantage compared to other companies that weigh more important things like qualifications and skills. The costs are felt more if these practices to diversify the staff characteristics and features are not put into play than if they are, because if they are ignored, the company will likely have substandard workforce, putting the company's ability to be profitable in serious jeopardy. In addition, discrimination creates a bad and hostile working environment, and under those circumstances, the staff will have more distractions and will be prevented from giving their absolute best. Absenteeism will increase and productivity will be lower (Jones et al, 2017).

#### Ethical considerations

Failing to ensure that the enterprise represented, in this case the big nationwide retailer company, abide to anti – discrimination measures and available regulation can result in terrible harm to the business (Stypinska & Turek, 2017). Discrimination is, by all standards, unethical. One of the main reasons why it is considered unethical is because many of the features and factors that serve as “discriminatory”, including gender, sexual orientation, race and religion (among many others, depending on the job description and finished product / final service) do not have any relation with the quality of the job that the employee can / would provide to the enterprise (Berry et al, 2017).

In today's and tomorrow's world, any ethical failure can result in a public scandal that transcends frontiers, language and cultures. Information travels fast,

influencers' control much of the opinions of the people in the Internet world and any controversial behavior can be punished by the public eye (Victor et al, 2017). Also, considering the right candidate for a specific job position has to do only with skills, preparation and academic background, along with previous experience, and not because one candidate has a darker skin color than the other, and / or because one was brought up in poverty, or because one is a Muslim, a Roman Catholic, or a Buddhist (Ragins et al, 2017).

Final recommendation to this retailer on whether or not they should ensure all, part, or none of the employee protections

My recommendation for the retailer would be to ensure all possible employee protection measures regarding discrimination in all of its forms. As discussed by Stypinska & Turek (2017) today, most Americans have taken position against discrimination in all of its forms and taken diverse actions against it, in spite of the opposition that some have encountered (Jones et al, 2017). The retailer should adopt anti discrimination measures in the hiring and recruitment process, because having a diverse staff is a symptom of a thorough search and judgment by qualifications and not by elements such as race, gender or sexual orientation. The retailer cannot afford to give away any competitive advantages and discrimination of any kind can result in subpar staff (Victor et al, 2017).

Employee protection will ensure that the working environment is a safer place. In 2025, just like any other year, there should be no place for discrimination of any kind. Not only is harmful and can affect the finances of the company, but it is also unethical. Unethical situations represent a serious threat to any enterprise in today's

corporate world. Social media, internet and globalization can really punish a company that supports any kind of unethical and incorrect behavior, so the losses can be very dangerous for this retailer (Ragins et al, 2017).

References

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