

Course Learning Outcomes for Unit VII

Upon completion of this unit, students should be able to:

7. Integrate public administration theories into the evolving theoretical foundations of social equity, equality, and discrimination policies in managing public organizations.
 - 7.1 Outline ethical principles related to multiculturalism and gender equity to resolve ethical dilemmas at work.

Course/Unit Learning Outcomes	Learning Activity
7.1	Unit Lesson Article 31: Systematic Thinking for Social Action (1971) Alice M. Rivlin, p. 307 Article 44: From Affirmative Action to Affirming Diversity (1990) R. Roosevelt Thomas, Jr., p. 472 Article 46: The Motivational Bases of Public Service (1990) James L. Perry and Lois Recascino Wise, p. 491 Video: <i>QA: Where Would America Be Without Affirmative Action</i> Unit VII Essay

Required Unit Resources

Article 31: Systematic Thinking for Social Action (1971) Alice M. Rivlin, p. 307

Article 44: From Affirmative Action to Affirming Diversity (1990) R. Roosevelt Thomas, Jr., p. 472

Article 46: The Motivational Bases of Public Service (1990) James L. Perry and Lois Recascino Wise, p. 491

In order to access the following resource, click the link below.

Wolfe, D., & Matthow, L. (Producers). (2014). *QA: Where would America be without affirmative action* (Segment 9 of 19) [Video file]. Retrieved from
<https://libraryresources.columbiasouthern.edu/login?auth=CAS&url=http://fod.infobase.com/PortalPlayslists.aspx?wID=273866&xtid=58361&luid=268502>

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Unit Lesson

Introduction

Welcome to Unit VII. Equal treatment by a democratic process is the ultimate goal of social equity. Regardless of personal traits or economic standing, all should be treated equally by the government system. Even though the citizens of the United States are in a free democracy that stands on equal social standing, the country represents a history that is less desirable. Though the Civil War attempted to dismantle the bondage of inequality, lessons learned disclosed that U.S. citizens still had other discrimination issues to resolve. Other countries share the same struggles as noted by Jean-Jacques Rousseau's work titled *Discourse on Inequality* (Duignan & Cranston, n.d.).

Duignan and Cranston (n.d.) commented that similar challenges existed in 1754, comparing the problems of society and the political community in which it thrives. In the 20th century, trends do reveal a spurt of hope

because equality took on women's rights and worker rights to include programs to help minorities. Today, almost every new public policy ensures that equality exists with each new bill, program, or law that is passed. The key concepts presented in this unit will cover important principles of social equity in an increasingly diversified country; the role, strides, and purpose of the Equal Employment Opportunity Commission (EEOC); the advancement of affirmative action; and recent progress of civil rights in the United States.

Social Equity Missteps

A *work in progress* would be the description defining the government's ability to make headway on this issue. Starting in 1938, The Fair Labor Standards Act provided a federal stance to do away with child labor that helped the cause of social equity (Grossman, 1978). Beginning in the 19th century, support was gathered for legislation that would help equal employment for minorities, unions, and women workers. Grossman (1978) noted that civil rights laws and the reinvention of government movements did help agencies to produce a workplace that respects diversity and manages employees of all races and genders equally. More recently, an equal rights topic that is taking over headlines is sexual discrimination—sometimes called gender inequality; sexual discrimination can be difficult to investigate, and the courts will have their docket filled with these type of cases for years to come (Stamarski & Son Hing, 2015).

Equal Protection

Before Hurricane Katrina struck New Orleans in 2005, the topic of discrimination was not a common topic found in most headlines. The post-hurricane effects left the nation stunned when videos and pictures of African Americans in line for food, water, and shelter were a common sight on the news (Lowe, Lustig, & Marrow, 2013). Scenes at the New Orleans Superdome showed citizens that were unable to get out of the city before, during, or after the storm. Lowe et al. (2013) noted that some of these scenarios initiated an outburst of one-sided government assistance. The debate compared public policy and race relationships. Hopefully, because of these events, evolving public policy and procedures will be drafted to provide fair and equal services to all citizens.

Equal Employment Opportunity

Being left out of employment opportunities because of age, race, national origin, sex, or religion is what the EEOC attempts to prevent. The programs and laws of the EEOC are established to prevent the very realistic problems of sexism or bigotry. The term *discrimination* in the workplace is generally defined as not treating all equally. Whether this action is deliberate or not, intolerance toward one who is different is illegal. The topic of discrimination took off with the EEOC during the civil rights movement in the 1960s. President Kennedy's Executive Order No. 10925, 26 Fed. Reg. 1977 (1961) encouraged minority recruitment for public agency employment and also included additional training for minorities, if needed. The Civil Rights Act of 1964 provided the legal framework to ensure that federal employers provided equal employment opportunities while the EEOC made the same provision for the private sector (Civil Rights Act of 1964, 1964).

Affirmative Action

The advancement of women and minorities in the workplace is usually portrayed by various statistical analysis. The chart below portrays wage disparities between working men and women for the year 2016. Summarized data reveals a consistent pattern of higher wage rates for men (for all age groups) when compared to women's wage rates. Examples like the data set below confirm the need for organizations to put in place aggressive affirmative action programs that are legally enforced. After reviewing the chart, would you consider the trend as wage discrimination?

Median usual weekly earnings of women and men who are full-time wage and salary workers, by age, 2016 annual averages		
Age	Women	Men
Total, 16 years and older	\$749	\$915
16 to 24	486	512
25 to 34	705	794
35 to 44	839	1,007
45 to 54	836	1,075
55 to 64	812	1,102
65 and older	749	992

Women's and men's earnings by age in 2016
(Bureau of Labor Statistics, 2016)

The basis of affirmative action is also argued, especially in reference to minorities gaining positions simply to meet an informal quota rather than competing strictly on an individual's merit. This attitude can cause resentment by those who were not selected for various employment opportunities. Should minorities who support affirmative action provide valid arguments that they cannot compete on merits alone? Examples may include unfair advantages of graduating from prestigious schools or having the means to pay for tuition for advanced degrees.

Reverse Discrimination

When the outdated hiring policies (e.g., based on test scores, seniority) conflict with affirmative action, the end result is a disagreement with the interpretation of Section 703 (j) of Title VII of the Civil Rights Act of 1964. The act references not providing preferential treatment to groups or individuals based on race, color, religion, sex, or national origin (Civil Rights Act of 1964, 1964). Though bias exists, those against affirmative action may believe the act is interpreted as a racial quota policy.

Civil Rights Progress

Besides women and ethnic minorities, there are other groups working in public administration who can claim discrimination of civil rights or policies that should protect individuals and groups. Examples of these different challenges include age, disability, and LGBT (lesbian, gay, bisexual, and transgender) discrimination.

Age Discrimination

The fastest growing age group in the United States is age 65 and over (Ortman & Velkoff, 2014). In the 1930s, the U.S. Social Security Administration deemed it appropriate for 65-year-old individuals to initiate retirement. Although many people do retire from full-time work at that age, many do not because they are still very healthy and lead active lifestyles. Until the 1960s, many employers did not hire people over a certain age because these workers would not be around very long, and organizations would receive less return on their investment. During 1975, amended civil rights laws prevented some age discrimination for people over 40 years old (National Academy of Elder Law Attorneys, n.d.). In 1978, the Age Discrimination in Employment Act raised the mandatory retirement age to 70 (Morrison, 1982). Unfortunately, even today, the older workforce can be quietly discriminated against; cases against human resources (HR) hiring depends on deduction and provided circumstances.

Disability Discrimination

Until the 1920s, government and employers that provided public/private facilities prevented limited access to the disabled population. The start of rehabilitation laws in the 1920s first initiated after World War I and helped veterans gain access to the workplace (Maloney, 2017). Advancing similar efforts, the Rehabilitation Act of 1973 advocated that discrimination was present if disabled employees could not utilize public facilities due to a lack of accommodations (e.g., missing wheelchair ramps, inaccessible restroom facilities, lack of grab bars) (Rehabilitation Act of 1973, 1973). The Americans with Disabilities Act of 1990 provided a mandate for organizations to provide reasonable accommodations for the disabled (Americans With Disabilities Act of 1990, 1990). Determining what is considered a disability may not be as clear. Some courts have provided some precedence that aids in interpretation of the term *disability*. Does a person who has acquired immune deficiency syndrome have a disability? The courts have ruled yes; in 1998, the Supreme Court ruled that a person with human immunodeficiency virus (HIV) is disabled and can justify an accommodation ("Disability

Discrimination,” n.d.). What about someone with high blood pressure or someone who wears glasses? Can they justify an accommodation? The courts say that individuals who take medicine or wear glasses and can function normally will not be considered disabled (*Sutton v. United Airlines, Inc.*, 1999). Some oppose accommodations because of cost, but overall, society will benefit in the long-term when wage earners and taxpayers are accepted—and not rejected because they are perceived to be a drain on the economy.

LGBT Rights

Early conflict with equality started with gay and lesbian activists wanting same-sex marriages to be legal in the United States. Even today, strong opinions exist for and against lifestyles that are different from a traditional family structure. What protects against discrimination is the Civil Rights Act of 1964, which is a law in effect regardless of various state laws. The charts below reveal an increase in the number of Americans identifying themselves as LGBT, the level of support accepting the LGBT lifestyle, and the demographic distinctions of who identifies as LGBT.

The number of Americans identifying as LGBT is rising

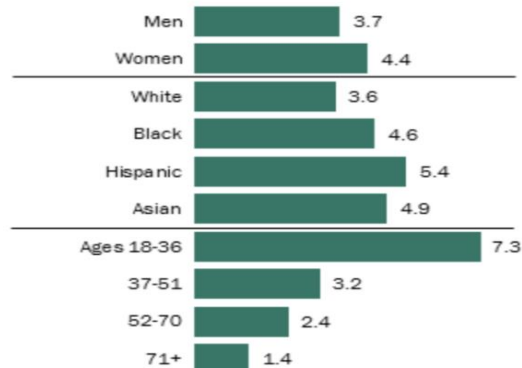
Number (and %) of U.S. adults identifying as LGBT

11.0 million

10.1

Older Americans much less likely to identify as LGBT

% of each group identifying as LGBT



Annual household income



Note: Whites, blacks and Asians include only non-Hispanics. Hispanics are of any race.

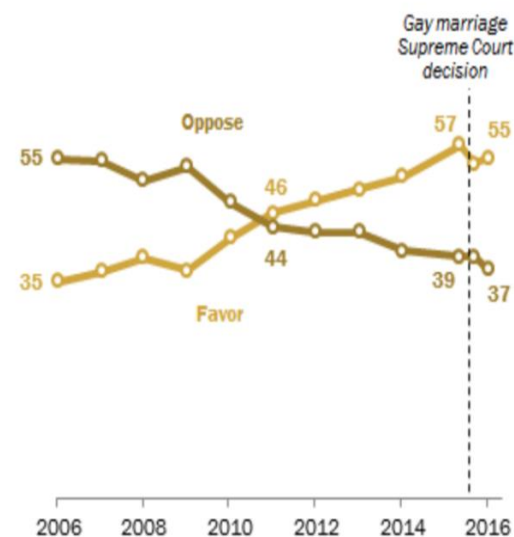
Source: Gallup Daily tracking survey, 2016.

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(Brown, 2017)

Support for same-sex marriage holds steady after 2015 Supreme Court ruling

% who ___ allowing gays and lesbians to marry legally



Note: Don't know responses not shown.

Data points for 2014 and earlier represent annual totals.

Source: Survey conducted March 17-26, 2016.

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(Brown, 2017)

Civil rights in the United States have certainly evolved through the years. As diversity and demographics change, culture, values, and traditional beliefs also evolve. This unit emphasizes the application and priority of social equity in our current culture, regardless of economic status, race, color, religion, or age.

The case study and lessons learned from various government agencies handling Hurricane Katrina recovery brought more questions than answers regarding the quality of assistance to certain demographics. Did some of the New Orleans citizenry see evidence of social inequality? In the United States, progress has certainly been noted in civil rights scenarios, but many will weigh in heavily that local, state, and federal government oversight falls short. Along with courts determining gray areas of minority rights and discrimination, clarity continues to be sought. As the current minority groups grow in size, today's majority populations may be less represented in the future.

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- Sutton v. United Airlines, Inc., No. 96-S-121, 1996 WL 588917 (D. Colo. 1996).

Suggested Unit Resources

In order to access the following resource, click the link below.

In the mid-1960s, as racial tensions led to violent riots in cities across the United States, affirmative action policies were expedited. Training programs and increased recruiting brought minorities and women into schools, jobs, the military, and politics.

Arte France (Producer). (2006). *Affirmative action takes hold and spreads* (Segment 4 of 15) [Video file].

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