

Running Head: RACE DISCRIMINATION IN THE WORKPLACE

Race discrimination in the workplace.

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## **Chapter Overview**

Title VII of the Civil Rights Act (1964, 1991) declared that employers must maintain a workplace free of discrimination based on sex, race, color, religion, or national origin. As a result, organizations have attempted to reduce racial discrimination, of which racial harassment is a subtype. Nevertheless, racial discrimination and harassment remain pervasive throughout the workplace, with 40% to 76% of ethnic minority employees experiencing at least one unwanted race-based behavior within a 12- to 24-month period (Harrell, 2000; Schneider et al., 2000). Racial discrimination has serious consequences, including negatively impacting psychological, physical and work outcomes (Barnes, Mendes de Leon, Lewis, Bienias, Wilson, & Evans, 2008; Darity, 2003; Forman, 2003; Sellers, Caldwell, Schmeelk-Cone, & Zimmerman, 2003). In this chapter, we will provide an overview of racial discrimination in the workplace as it is defined legally in the United States, discuss individual and organizational factors that increase the likelihood that racial discrimination will occur, and review the costs of racial discrimination to targeted individuals and the organizations within which they work.

## **Legal Definitions of Racial Discrimination**

Protection against workplace racial discrimination was formalized with the passage of Title VII of the Civil Rights Act (1964, 1991), which prohibited workplaces with at least 15 employees from using sex, race, color, religion, or national origin when making employment decisions. Title VII also created the Equal Employment Opportunity Commission (EEOC) to investigate claims of discrimination. As a part of the ban against racial discrimination, Title VII specifies several race-related factors that cannot be used in employment decisions. Namely, employers may not deny individuals equal employment opportunities as a result of their perceived and/or actual racial group membership, race-related features (e.g., hair texture or skin

color), relationships (e.g., marriage) with members of a particular race, or the employer's beliefs about individuals in certain racial groups. Although enacted to protect racial and ethnic minorities (and other protected groups), these guidelines extend to people of all races.

Title VII also prohibits discriminatory employment practices. First, employers may not discriminate in the recruitment, hiring, promotion and retention of employees. This protection requires the employer to use the same job requirements for all individuals, and to ensure that these requirements do not exclude individuals in a particular racial group. Yet, research shows that discriminatory practices persist in these domains and manifest in a variety of ways. For example, Bertrand and Mullainathan (2004) found that in the initial review of resumes, applicants were already at a disadvantage if their names suggested they were Black. The researchers sent resumes with similar qualifications in response to 1,300 employment advertisements. They changed only the name of the applicant (using a name perceived as White, such as Greg Baker, or a name perceived as Black, such as Jamal James) and found that applicants with White sounding names were 50% more likely to receive a callback than applicants with Black sounding names. When they manipulated the quality of the resumes, higher quality White applicants were 30% more likely to receive a callback than lower quality White applicants, whereas Black applicants with higher quality resumes only received an 8% boost over lower quality Black applicants. Thus, this study clearly demonstrates that racial discrimination may occur at the hiring stage, and potentially the recruitment stage, before individuals have an opportunity to demonstrate their potential.

Racial discrimination is also evident in promotion practices, such as performance evaluations. An analysis by Stauffer and Buckley (2005) showed that White supervisors gave White workers substantially higher performance ratings than Black workers, compared to Black

supervisors rating the same workers. Interestingly, they also found that Black supervisors demonstrated smaller, but similar biases in favor of White workers. Overall, the results of this body of research suggest that there is racial bias and discrimination in the supervisor ratings of Black employees, although the source of this bias is unclear. Additionally, in a 3 year period early in their career, Black workers with similar credentials were dismissed from their jobs 33% more frequently than White workers (Wilson, 2005). To the extent that evaluations of worker performance and retention decisions are influenced by factors unrelated to actual performance, the organization is negatively affected in several ways. Employees that are not performing as well as they might appear to be given an artificial lift while the better performance of others is being overlooked. Over time, this may impact promotion decisions (promoting less qualified employees due to overly positive evaluations) and retention, as underappreciated employees are more likely to leave the organization.

Second, Title VII prohibits employers from discriminating in compensation, benefits or the conditions of employment (e.g., the type of work assignments made). Although disparities in wages have decreased over time, they remain significant. Averaging across all working adults, White men earn a third more than Black men and twice as much as Black women (Kim, 2007). After controlling for factors thought to influence earnings (e.g., age, education, part-time status, children, marital status, etc), up to a 30% wage disparity exists across racial groups (Bishaw & Semega, 2008; Kim, 2007). Additionally, these disparities may be exacerbated over an individual's lifetime. Maume (2004) analyzed a longitudinal panel sample and found that Black workers earned significantly less than White workers, controlling for a number of individual and job related variables. Further, the size of this wage gap was greater for older cohorts of workers compared to younger ones, and as individuals aged, the wage gap increased for all cohorts. The

increase in wage disparity within cohorts reflects differences in starting wages among ethnic groups (which are exacerbated over time because raises are often a percentage of one's base salary) as well as persistent employer discrimination in future compensation and promotion practices over individuals' careers (Maume, 2004). Such discrimination may be responsible for up to a 15% loss in earnings within a ten-year period (Darity, Guilkey & Winfrey, 1996; Gottschalk, 1997; Rodgers & Spriggs, 1996).

Third, Title VII prohibits employers from segregating employees who belong to a particular racial group or classifying the type of work employees can do because of their race. For example, physically or geographically isolating Asian employees from other employees or customers, and/or prohibiting Asian employees from holding certain positions would constitute Title VII violations. There are four theories for why racial segregation occurs in the workplace: 1) ethnic minorities have skill deficits compared to White employees, 2) racial groups prefer to be segregated or choose occupations that are similar to other members of their ethnic group, 3) economic and organizational structures result in race segregation (unintentionally), and 4) individuals' who make employment and placement decisions engage in race-based stereotyping. Kaufman (2002) compared the four explanations for employment racial segregation and determined that racial stereotyping by employers best explained racial segregation across almost two thousand labor sectors.

Fourth, Title VII prohibits employers from retaliating against individuals who complain about their own discrimination or that of another employee. Retaliation includes a number of adverse actions, including not hiring someone or terminating an employee who makes a claim of discrimination. Giving employees negative performance evaluations, negative job references, or denying them promotion are also examples of prohibited retaliatory tactics. Finally, employers

may not engage in other activities that threaten or harm individuals because they have made a claim of discrimination. Despite the prohibition of retaliation under Title VII, the EEOC received over 32,000 claims of retaliation discrimination in the 2008 fiscal year alone. Retaliation claims have significant costs to employers, including more negative workplace climate and decreased employee morale, and the potential for financial penalties due to declines in business or court awards to plaintiffs (Solano & Kleiner, 2003).

Individuals are protected against discriminatory acts in the above areas regardless of whether or not the acts were intended to cause them harm. Thus, Title VII distinguishes between two broad types of racial discrimination. *Disparate treatment* occurs when individuals are deliberately treated differently because of their race. Examples include offering ethnic minorities lower starting salaries, posing different interview questions to White and ethnic minority applicants, or refusing to hire applicants of color. *Disparate impact*, also referred to as adverse impact, occurs when facially neutral workplace practices have an unnecessary and negative effect on members of a protected class (e.g., people of color), thereby limiting the opportunities of that group. Race-related examples of disparate impact can include a wide array of activities, including recruitment and hiring practices (such as only advertising open positions in predominantly White communities) or unnecessary requirements for one's appearance (e.g., requiring men have short hair, which might eliminate qualified Native American applicants [many of which do not cut their hair for cultural and spiritual reasons; French, 2003]).

Racial harassment and the creation of a hostile work environment were included as forms of racial *discrimination* following the 1972 ruling in *Rogers v. EEOC*, which established that a hostile work environment in violation of Title VII was created for a Latina employee when her employer discriminated against Latinos/as customers (Chew & Kelly, 2006). Racial harassment

refers to race-based differential treatment that creates a pervasive hostile environment for targets; that is, unwanted race-based behaviors become sufficiently pervasive that the general workplace milieu becomes hostile and/or negatively affects one's job performance (Equal Employment Opportunity Commission [EEOC], 1980; Harrick & Sullivan, 1995). Racial harassment is commonly expressed verbally (e.g., racial slurs, ethnic jokes, and derogatory race-based comments) or via exclusion (e.g., not informing ethnic minority co-workers of work-related activities or social events; Schneider, Hitlan, & Radhakrishnan, 2000).

### **Psychological Definitions of Racial Discrimination**

Researchers (e.g., Kanter, 1977; Reskin, McBrier, & Kmec, 1999; Smith, 2002) have suggested that majority group members, particularly those who hold positions of power and authority, are personally motivated to maintain their positions of privilege. A primary means of doing so involves the exclusion of individuals from different racial or gender groups, and providing opportunities only to individuals who share their demographic characteristics. Thus, racial groups experience differential privilege as a result of racial discrimination, which benefits one group to the detriment of another. The benefits that are afforded to the privileged group (e.g., higher salaries, more opportunities for training and promotions) necessarily limit the job-related benefits for the discriminated against group. Majority group members may engage in racial discrimination because of conscious animus toward racial minorities, or because feelings of trust and shared understanding are greater when there is more similarity among group members. Similarly, individuals may act in discriminatory ways as a result of institutional or organizational pressures.

Although people most readily recognize blatant and malicious acts of race discrimination, it is important to note that differential treatment need not be intentional to be harmful or to

qualify as discriminatory practice under the law. Although not specifically addressed under Title VII, racial microaggressions—subtle verbal, behavioral, or environmental insults that target people of color—are frequently part of modern racial harassment (Deitch et al., 2003; Sue et al., 2007). Racial microaggressions are akin to a “death by a thousand cuts,” meaning individual incidents are rarely clear acts of aggression or maliciousness. Instead, individuals are inundated with many small, nearly imperceptible injuries whose cumulative effects can be devastating (Bryant-Davis, 2008). These “small” acts of discrimination can be easily explained away when viewed in isolation. As a result, racial discrimination in its subtle form is often readily visible only after many incidents have occurred across several employees.

Modern racial discrimination may also occur through unconscious processes related to prejudice and stereotyping. Recent research suggests that prejudice and stereotypes can occur unconsciously and outside people's awareness (e.g., Greenwald, Banaji, Rudman, Farnham, Nosek, & Mellott, 2002). Prejudice reflects bias – negative evaluations and feelings – towards others who are members of a particular group, such as a minority racial group (Allport, 1954). A stereotype is a belief about the nature and characteristics of a group (Hilton & von Hippel, 1996), for example, that Asians are smart or Blacks are lazy. Past research has indicated that discrimination – negative behaviors enacted toward members of a particular group – typically stem from prejudiced attitudes and stereotypes (Dovidio, Kawakami, & Gaertner, 2002). Further, because majority group individuals often hold rigid stereotypes about minority group members, differences between groups are often exaggerated, similarities are minimized, and differences among outgroup members are often masked (Smith, 2002). Thus, there are limited opportunities for individuals to change their negative prejudices and stereotypes (Hilton & von Hippel, 1996).



When unchecked, such stereotypes, bias and prejudice, conscious or unconscious, may result in employment discrimination (Fiske & Lee, 2008).

### **Frequency of Racial Discrimination**

Despite laws prohibiting employer bias based on race and other characteristics, racial discrimination remains a problem for the workplace. In 2008, the Equal Employment Opportunity Commission received nearly 34,000 new complaints of race-based discrimination (EEOC, 2009), which is thought to reflect only a small proportion of discriminatory incidents that occur as discrimination is often unreported. As stated earlier, discrimination and harassment are often directed at individuals because of their membership in particular groups and reflect power and status differentials within the organization and within society more generally. Thus, it is not surprising that ethnic minorities report significantly higher rates of racial discrimination and harassment than Whites (Berdahl & Moore, 2006; Bergman et al., 2007; Buchanan, Bergman, Bruce, Woods, & Lichty, 2009; Schneider et al., 2000), with 40% to 76% of ethnic minority employees reporting at least one unwanted race-based experience at work within a 12- to 24-month period (Harrell, 2000; Schneider et al., 2000). Similarly, negative race-based behaviors are common among college students. Estimates of racial harassment suggest that 98% of ethnic minority students experience at least one unwanted race-based event every year (Landrine & Klonoff, 1996) and up to 66% report one such experience within a two-week period (Swim et al., 2003).

Other demographic variables can also influence the likelihood of experiencing racial discrimination and harassment. Specifically, gender appears to moderate the frequency and severity of racial discrimination and harassment. Swim and colleagues (2003) found that higher rates of racial harassment were reported by college women than by college men. Another study

of college students found that this pattern held for Black men and women in college, but among Asian and Multiracial students, men reported higher rates than women (Buchanan et al., 2009). Among working adults, studies of racial discrimination and harassment usually find higher rates among men as compared to women (e.g., Sigelman & Welch, 1991; Krieger et al., 2006; Utsey, Payne, Jackson, & Jones, 2002) and that men are more frequently targeted for direct and violent racial harassment (e.g., being called a racial epithet, being physically assaulted due to race; Feagin, Vera, & Imani, 1996). The inconsistency of the results regarding racial harassment and gender are striking and point to the need for further research on the intersections of race and gender in harassment and discrimination (Berdahl & Moore, 2006; Buchanan & Ormerod, 2002). Similarly, age and social class, being younger or being of a lower social class, are associated with higher rates of workplace harassment (McLaughlin, Uggen, & Blackstone, 2008).

Finally, organizational factors, such as the type of workplace and racial composition, appear to influence rates of harassment. In fact, many argue that, although rarely studied, organizational factors have a greater effect than individual factors in determining the frequency and severity of discrimination (e.g., Tilly, 1998; Reskin, 2000). Those organizational processes that have the greatest likelihood of reducing discrimination are those that reduce individuals' likelihood of: categorizing people as ingroup versus outgroup members, acting on biased automatic cognitive processes, and allowing the stereotypic beliefs of others to influence their decisions, particularly in hiring and promotion (Petersen & Saporta, 2004; Reskin, 2000; Vallas, 2003). These might be accomplished by formalizing decision-making processes in recruitment, retention, evaluation and promotion (Reskin, 2000), increasing accountability and oversight of these processes and procedures (Kalev et al., 2006), and utilizing race-based hiring and

promotion policies to increase workplace diversity (e.g., affirmative action programs; Holzer & Neumark, 2000).

### **Individual Factors Related to Who Perpetrates Discrimination**

We previously described some of the demographic factors, such as gender and social class, that affect the likelihood that an individual will experience racial discrimination. There are also important factors that influence whether an individual will perpetrate racial discrimination against others. Some individuals hold more bias towards minority racial groups than others. Not surprisingly, those individuals are more likely to engage in racial discrimination. For example, in an experimental test, Ziegert and Hanges (2005) found that when given justification for discrimination by an authority, individuals with higher levels of unconscious racism rated Black participants more negatively compared to those low in unconscious racism. Further, research by Norton, Sommers, Vandello, and Darley (2006) demonstrated that individuals often provide non-racial justifications for race-related selection decisions, and that this is especially true for individuals high on racial prejudice.

Social dominance theory has been offered to explain group based prejudice and discrimination (Sidanius & Pratto, 1999). This theory suggests that some individuals may have more of a social dominance orientation, which is an individual's tendency to support group-based hierarchies, including the support of higher status groups and their domination of lower status groups (Sidanius & Pratto, 1999). Thus, individuals high on social dominance orientation are thought to have a set of beliefs or values that justify inequality between groups. Parkins, Fishbein, and Ritchey (2006) found that undergraduate students who were higher on self-rated social dominance orientation reported a greater likelihood to discriminate. Similarly, in an experimental selection study, Umphress, Simmons, Boswell, and del Carmen Triana (2008)

found that undergraduate students who were higher in social dominance orientation were significantly less likely to say they would choose a more qualified Black male candidate over less qualified White male candidates. When participants were explicitly directed to make their decision based on job qualifications, this bias was lessened, but remained significant. Aquino, Stewart, and Reed (2005) found that undergraduate students who were higher in social dominance orientation made more negative performance expectation ratings for a hypothetical Black candidate compared to those with lower social dominance orientation. Further, this effect was significantly greater when individuals believed that the Black candidate had benefited from Affirmative Action. Thus, prejudice and the tendency to support inequality appear to be significant factors in predicting who will engage in racial discrimination.

### **Organizational and Societal Factors Related to When Discrimination Occurs**

When examining employment discrimination, focusing solely on individuals as sources of discrimination obscures the roles and responsibilities organizations have in stemming racial discrimination (Bielby, 2008). Discrimination and harassment also reflect power dynamics and differences in formal and informal status among those involved. As a result, organizational status can influence the frequency of experiencing discrimination and harassment. High organizational status is protective across a variety of negative workplace behaviors, such as incivility and harassment (Cortina, Magley, Williams, & Langhout, 2001). Conversely, low organizational status increases the likelihood that one will be more frequently targeted, especially in male-dominated organizations (e.g., Buchanan et al., 2008; Gruber, 2003).

Whereas most organizations understand their need to address actions and policies that are clearly discriminatory, they often neglect more ambiguous ways in which practices can result in sizable disparities across groups. For example, racial discrimination may occur inadvertently

under the guise of the “last hired, first fired” principle. In many occupational sectors and at higher organizational levels, minority workers are likely to have been integrated into the workplace relatively recently. Thus, they are likely to be more recently hired and have less seniority than White workers (Cummings, 1987; Sims, 1993). Organizations can also perpetuate racial discrimination by relying on informal networking and mentoring. For example, informal social gatherings among colleagues may regularly fail to include ethnic minority employees, resulting in these employees having fewer informal resources (such as information and access to influential people at work). Similarly, reliance on informal mentoring networks, may result in racial differences in the frequency, depth, and quality of mentoring provided (Bielby, 2008; Constantine, Smith, Redington, & Owens, 2008).

Organizational climate refers to an individual’s perception of the organization and its policies, practices, and procedures (Kickul & Liao-Troth, 2003; Seibert, Silver, & Randolph, 2004). Although such perceptions may not always be accurate representations, they remain important because they shape individuals’ behavior at work and their feelings about the organization more globally (Seibert et al., 2004). More recently, researchers have focused on aspects of the organizational climate that are of particular relevance to racial discrimination. For example, Peterson (2002) found that employees were less likely to engage in racial or sexual harassment if they perceived their work organization as placing importance on complying with legal and professional standards and showing concern for employees’ well-being.

Most relevant to racial discrimination is an organization’s diversity climate, or the extent to which an organization advocates for fair policies and socially integrates underrepresented employees (McKay, Avery, & Morris, 2008). McKay et al. (2008) found that Black and Hispanic employees who perceived the organization as having a positive diversity climate reported higher

sales performance levels than those who perceived the climate as having a less positive diversity climate. Further, another study found that, although Black employees reported more absences than White employees, this difference was greater when the organization was perceived as not valuing diversity (Avery, McKay, Wilson, & Tonidandel, 2007).

Finally, negative economic conditions within the broader society exacerbate racial discrimination. During times of economic recession, racial minority workers experience significantly more disruptions in their employment compared to White workers (Applied Research Center, 2009; Cummings, 1987; Sims, 1993), regardless of their gender or the occupational sector within which they work (Cummings, 1987). Moreover, patterns of disproportionate minority layoffs occur not only during times of broad recession, but also when particular industries are in decline (Sims, 1993). Further, minorities are less likely than Whites to recover economically after a recession. In fact, the income inequities between minority-headed and White-headed families widens, especially low income minority families (Applied Research Center, 2009; Michel, 1991). These trends are directly linked to racial discrimination in the labor market.

### **Individual and Organizational Outcomes of Racial Discrimination**

Research has shown that race related discrimination and harassment experienced in the workplace can come from various sources including supervisors and superiors, coworkers and colleagues, patients and clients, and in the policies and practices of the organization itself (i.e., “systemic” racial discrimination). Indeed, discrimination and harassment from various sources have been linked to negative outcomes for both the individual employee and the organization as a whole (e.g., Ensher, Grant-Vallone, & Donaldson, 2001; Shields & Price, 2000).

Racial discrimination has been associated with detriment to a variety of psychological and physical health outcomes. Discriminatory experiences have been associated with increased distress, traumatic stress (e.g., Branscombe, Schmitt, & Harvey, 1999; Broman, Mavaddat, & Hsu, 2000; Forman, 2003; Kessler et al., 1999), anxiety, depression and obsessive-compulsive disorder (Kessler et al., 1999; Klonoff, Landrine, & Ullman, 1999), lower self-esteem (Jasinskaja-Lahti & Liebkind, 2001; Wong et al., 2003), decreased life satisfaction (Liebkind & Jasinskaja, 2000), and lower perceived self-competence and psychological resiliency (Wong et al., 2003). Among college students and adolescents, racial discrimination is associated with decreased motivation to achieve goals and increased emotional discomfort, anger, and behavioral problems (Sellers et al., 2003; Swim et al., 2003; Wong et al., 2003). Regarding physical health, racial discrimination has been associated with increased mortality rates and elevated incidences of several chronic health conditions, such as high blood pressure, heart disease, cancer, and diabetes (Barnes et al., 2008; Guyll, Matthews, & Bromberger, 2001; Harrell, 2000; Williams, et al., 2003).

Past research has also shown that perceived workplace racial discrimination is also associated with negative work outcomes for targeted individuals. These harmful outcomes include generalized job stress, supervisor and coworker dissatisfaction, increased perceived organizational tolerance of harassment (Buchanan & Fitzgerald, 2007; Mays et al., 1996), intentions to quit, and job withdrawal (Pavalko et al., 2003; Schneider et al., 2000). Further, racial discrimination is associated with limited career advancement and less development of workplace skills, less effective work relationships with colleagues and supervisors, increased work tension, and decreased job satisfaction, initiative, and organizational commitment (i.e., increased likelihood of changing jobs; Mays et al., 1996; Sanchez & Brock, 1996).

Although it is clear that racial discrimination is associated with many negative psychological, physical health, and work outcomes, it is important to note that relatively little research has addressed outcomes related specifically to racial harassment in the workplace (for recent exceptions see Buchanan et al., 2009; Buchanan & Fitzgerald, 2007; Schneider et al., 2000). Those studies that do exist demonstrate that, within the workplace, the racial harassment has significant detrimental effects on psychological well-being and work outcomes. Namely, racial harassment is associated with increased posttraumatic stress (Buchanan et al., 2009; Buchanan & Fitzgerald, 2007; Pavalko et al., 2003), depression, general clinical symptomology, life satisfaction (Buchanan et al., 2009), decreased health satisfaction and increased number of poor health conditions (Buchanan et al., 2009; Darity, 2003; Mays et al., 1996; Pavalko et al., 2003).

Racial discrimination and harassment also have negative consequences for the organization. Ensher and colleagues (2001) found that when employees perceive the organization and its policies to be discriminatory, or perceive that they have personally experienced discrimination from supervisors or coworkers, their job satisfaction, organizational commitment, and citizenship behavior in the workplace is negatively affected. In turn, these experiences and changes in organizational commitment increase the employee's intentions to leave the organization (Podsakoff, Whiting, Podsakoff, & Blume, 2009; Shields & Price, 2002). Replacing employees requires resources be spent on a plethora of clear costs (e.g., acquiring and training a new employee, lost productivity, etc.) as well as concealed costs (productivity lost by the coworkers of and the person training the new employee, processing the paperwork generated by a new hire, etc.). These costs can range from 50-200% of the individual's annual salary (Bliss,



2001; Faia, Lechthaler, & Merkl, 2009) and are independent of litigation and efforts to repair or maintain the company's reputation if charges of discrimination are levied.

### **Summary and Conclusions**

Despite Title VII of the Civil Rights Act (1964, 1991) – which mandated that organizations eliminate workplace discrimination based on an employee's sex, race, color, religion, or national origin – racial discrimination and harassment persists with significant costs to targets, co-workers, and the organization as a whole. The ability to reduce discrimination and manage diversity in the workplace can be an asset to an organization. Organizations that effectively integrate and support workplace diversity experience many positive benefits, including improved employee retention and productivity, and increased ability to recruit the best employees (Loden & Rosenor, 1991). Indeed, being able to effectively manage diversity and minimizing workplace discrimination is an important organizational concern given its effect on employee attitudes and beliefs (e.g., job satisfaction), which in turn has a substantial impact on employee behavior (Barak, Cherin, & Berkman, 1998).

Despite advances in research and organizational policy regarding discrimination and harassment, gaps remain. To date, much of the research on racial harassment and discrimination is about the experiences of Black versus White employees. However, an increasingly diverse workforce requires attention to the ways in which discrimination is directed toward other ethnic minority groups. It may also be necessary to conceptualize discrimination based on religion as potential racial discrimination. For example, discrimination against Muslims in the United States often reflects racism against those perceived to be Arab American. In fact, in the 14 months following the World Trade Center terrorist attacks on September 11, 2001, there were 705

charges of employment discrimination brought to the EEOC by Arab American men and women, regardless of their religion (EEOC, 2002).

Organizations must also consider the nature and impact of subtle and unintentional forms of discrimination. Racial microaggressions, subtle mistreatment and exclusion, are often discounted because they are ambiguous and perpetrators can argue that they are unintentional. Nevertheless, such experiences can have a significant detrimental effect (decreased morale and productivity, increased employee turnover) resulting in significant losses for an organization and putting them at risk for litigation. Research also suggests that seemingly neutral organizational policies can have a disparate impact on ethnic groups. Organizations must examine the outcomes of such policies on different ethnic groups. For example, if informal mentoring results in ethnic minorities receiving little or no mentoring whereas White employees receive strong mentoring through this process, there will be incremental benefits for White employees at the expense of ethnic minority employees. If this is the case, it may be beneficial to assign mentors, train them for this role and working with employees from different racial/ethnic backgrounds, and then set standards, expectations, and evaluation procedures for ensuring that all employees are being given equal access to the information and benefits a mentor can provide.

Another important organizational concern is to develop objective and accurate criteria for selection, promotion, and performance evaluation. These areas can be rife with unconscious bias that result in differential hiring requirements, disparities in performance evaluations and compensation, and biased promotion decisions. Reducing the incidence and impact of unconscious bias in each of these domains is important not only from an ethical or moral standpoint, but also because of the benefits for the organization. Thus, understanding the degree

to which these processes are affected by subjective biases, such as racial bias, is an important concern for social scientists and organizational leaders alike.

Organizations must also develop policies and training programs that address multiple forms of discrimination and harassment. Individuals who embody multiple marginalized identities, such as ethnic minority women, are likely to experience harassment that simultaneously targets these multiple identities (e.g., racialized sexual harassment; Buchanan & Ormerod, 2002) and may be perceived differently by targets based on these identities (Settle, Pratt-Hyatt, & Buchanan, 2008). Yet, organizational policies and training rarely address these intersecting forms of harassment and discrimination. Racial discrimination and harassment are related to other forms of workplace mistreatment, such as sexual harassment and general incivility, and as such, many have argued that these should not be examined in isolation (Buchanan & Fitzgerald, 2007; DeSouza, 2008). In fact, organizations rife with one form of discrimination or harassment are likely to have other forms proliferating as well (Cortina, Fitzgerald, & Drasgow, 2002). Buchanan and Fitzgerald (2007) found that experiencing both sexual and racial harassment significantly increased individuals' criticism of the organization's leadership and perception of the organization as tolerant of harassment, both of which increase the likelihood of the target seeking legal redress. Thus, organizations can reduce liability while simultaneously increasing employee morale, productivity, and company profits by actively working to reduce racial discrimination.

In sum, in this chapter we have described the legal prohibitions against workplace racial discrimination, which have reduced some of the more explicit forms of unequal racial treatment. However, we have also noted literature finding that racial discrimination remains a significant problem with significant costs for individuals, organizations, and society. Given that modern

racial discrimination in the workplace is becoming more subtle, the field will need to develop new approaches to thinking about the legislation and/or litigation of discrimination based on such ambiguous, yet harmful, actions toward racial minorities. Finally, given the unconscious nature that racial discrimination may sometimes have, more attention will need to focus on ways to effectively reduce prejudice and change negative stereotypes.

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