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The Stigma and Unintended Consequences of Affirmative Action in the Workplace

An Honors Thesis

Presented in Partial Fulfillment of Requirements of the Honors Program and Undergraduate Degree in the College Of J. Mack Robinson College of Business, Georgia State University

2005 by

Latoya Wilson

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Preface

When the general public discusses Affirmative Action, they are more likely to make an assumption that the person is not qualified without seeking their actual qualifications. Some may hesitate to provide any reasonable explanation for their opposition because the policy is a controversial topic. The goal of this journal was to search for the possibilities that may actually inspire their opposition and relate it to the stigma theory, which might explain some of these reasoning.

By focusing on black recipients in the workforce research on the policy and reactions to Affirmative Action, some researchers appeared to study according to what they think Affirmative Action is supposed to accomplish. There are not enough scholars, with a specialization in human resource, to provide objective facts about the actual intent of the policy.

It appears that some managers are not knowledgeable on how to manage the program legal. When certain individuals, who are supposed to have expertise on this policy, are not knowledgeable, then the public cannot be expected to be knowledgeable about the policy. The purpose is to look at Affirmative Action from an objective point of view to differentiate the actual purpose of the policy from the stereotypical purpose of the policy. Recommendations are provided to determine how Affirmative Action can prove to the critics that it is necessary when the program is operated properly.

Introduction

Affirmative Action is a controversial issue, "...which invariably conveys different connotations to different people" (Robinson& Seydel& Douglas, 1998). When people have different meanings of Affirmative Action, it causes them to misunderstand the purpose of the program. There is a possibility that stereotype of blacks lead to the stigma of this group, therefore raising questions about individuals' qualifications. In the following review, I will begin with a brief definition of Affirmative Action. I will discuss the unintended consequences of Affirmative Action and how the stigma theory, provided by Link and Phelan (2001), helps explain these unintended consequences. Finally, I will make recommendations based on the findings of these literature reviews. I will focus on one segment of the Affirmative Action protected classes, which is people of African descent.

What is Affirmative Action? Based on Department of labor (DOL)

America had a long history of denying certain groups equal protections and opportunities. Title VII of the Civil Rights Act of 1964 was passed to end discrimination based on race, color, religion, sex or national origin by companies with fifteen or more employees. Affirmative Action, on the other hand, is a policy designed to make sure that equal employment opportunities are given to qualified members of groups who have been historically underrepresented in employment positions (Eberhardt & Fiske, 1994). For an example, companies are required to actively recruit qualified minorities, without violating the Civil Rights Act. Lyndon Johnson added the Executive Order 11246 to Affirmative

Action, which ensures the employees and prospective job applicants, be treated fairly without regard to their race, color, religion, or national origin (DOL). The Office of Federal Contract Compliance Programs (OFCCP) requires contractors to develop, maintain, and update a written Affirmative Action plan annually to target the employment of women and members of minority groups (DOL). Companies with federal contracts of $10,000 or more to formulate detailed Affirmative Action plans to ensure their compliance with the policy (DOL).

Non-construction contractors with fifty or more employees and contracts of $50,000 or more must develop written Affirmative Action plans for each of their establishments (DOL). The regulations written under an Affirmative Action plan are specific guidelines to which a contractor has to make good faith effort to recruit and train qualified blacks. The OFCCP requires a contractor, as a condition of having a federal contract, to engage in a self-analysis for discovering any barriers to equal employment opportunity. The regulations at 41 CPR 60-2.11 (b) define under-utilization as having fewer blacks in a particular job group than would reasonably be expected by their availability (DOL). When determining availability of blacks, contractors must consider the presence of blacks having the necessary skills in an area in which the contractor can reasonable recruit (DOL).

Unintended consequences of Affirmative Action

Unintended consequences of Affirmative Action occur when people have the wrong idea of what the policy is intended to accomplish. Bachiochi and Sinar (2002) noted that Schmitt and Chan recently felt "it is unfortunate that organizational scientists still understand very little about what makes for good Affirmative Action plans and how these

plans and public perceptions of these plans affect the organization's capability to recruit and employ an effective workforce" (Bachiochi & Sinar, 2002).

The first problem occurs when we refer to Affirmative Action as "preferential treatment" because it makes many people question the equality of this policy. The phrase preferential treatment may direct people to believe that Affirmative Action is only there for companies to fulfill the quotas and hire unqualified blacks. Robinson, Seydel, and Douglas, (1998) stated "...that Affirmative Action has been increasingly associated with the requirement for special or preferential treatment to individuals because of their membership in a certain group". In their research, they discovered that preferential treatment causes many people to oppose the policy, but are willing to accept the other forms, such as a training program to make sure that the underrepresented group is qualified in employment.

Another problem occurs when people believe that the Affirmative Action policy is implemented to correct the wrongdoings that had happened to minorities from past years. Shelby Steele, a researcher at Hoover institute, believes that the policy "ponder on White guilt" (Crosby & Clayton, 2001). In other words, he is simply stating that the policy makes whites feel guilty about what their ancestors did in the past. When researchers and educators refer to the policy as making a certain group guilty, that group will more likely oppose the program. Hiring blacks, according to the quotas, is also illegal and goes strictly against the actual intent of Affirmative Action. When Affirmative Action requires employers to hire qualified applicants, it is not using preferential treatment.

Another problem occurs when white men fear that if blacks were hired because of their membership status, then the white men will lose their positions to black employees. Holzer & Neumark (2000) showed that the increase in the hiring of minorities is weakly connected with the decrease in hiring white men. According to the civil rights act of 1964,

replacing white men for no probable cause is illegal **(DOL).** Affirmative Action intends to actively search for qualified underrepresented groups, who have been discriminated against and would not receive any opportunities without this protection. As long as Affirmative Action is managed properly, white employees should not have to worry about losing their position to any unqualified candidate.

Racism may play some role in the resistance of Affirmative Action because of the history of this country. "The theory of modern racism proposes that the affective component of racial attitudes is acquired early in life and is harder to change than the preference policy components" (McConahay & Hardee & Batts, 1985). Racism is something that is learned and is very hard to change in this society. When a white employer has a belief that black employees are inferior to white employees, it will lead the employer to question whether the blacks are actually qualified for a position or even qualified to get promotions. Blacks seem to get the most criticism of Affirmative Action because the society does not question all minorities' qualifications in employment.

According to the study of Gilbert and Stead (1999), there is no significant evidence that employers question the ability of Asian- Americans when they are hired under Affirmative Action or any other diversity management program. The society view Asians as being smart, intelligent, and hard workers. Since slavery, blacks were classified to be lazy, immoral, and unintelligent. According to Wilkins (2004), "racism had been at the core of our culture for more than a century before we became a country." He wrote about Barringer (1900) who stated that blacks did not need anything beyond the Sunday school lessons. According to this article, Barringer (1900) was simply stating that blacks are not capable of learning at the same level of whites. That type of thinking causes harm to black

applicants because racism can play a role of denying that person the job opportunity.

Another problem occurs when the term "competency'' becomes a question. If people feel that Affirmative Action is only based on race, employers may question the abilities of black employees. Bobocel and SonHing (2002) were defining the term meritocracy as an idea that only the most deserving individual should receive awards. The results showed that "...there was a main effect of preference for the merit principle such that greater endorsement of the merit principle was related to greater opposition to the preferential treatment program" (Bobocel & SonHing, 2002). This type of thinking causes harm to black employees because white employers may feel that they do not deserve the position or a promotion. As long as people's ideas are based on stereotypes regarding black employees, it will be hard for people to understand that Affirmative Action is attempting to increase the number of applicants hired and promoted regardless of their race. Stereotypes are described as, "a cognitive structure that contains the perceiver's knowledge, beliefs, and expectations about a human group" (Hamilton & Trolier, 1986, p. 133). Thomas (2003) provided research that connected the negative attitudes held by employers towards blacks and the fact that blacks had a harder time finding job opportunities. One of his studies that were conducted consisted of the employers' attitude towards blacks in the electronic industry. The research revealed that some Human Resource officials reported that managers, who made the final hiring decisions, used negative stereotypes as their screening decisions (Thomas, 2003). If this problem actually exists, the negative image of blacks and the idea that blacks are not competent enough to be hired in jobs would intensify.

The interesting factor that contradicts this problem of competency is evident when Thomas (2003) discovered that the employers had a positive view of black workers and felt that they possessed the skills to receive higher wages. Many employers admitted that

the reason that blacks do not stay in lower positions is that they have enough qualifications to be promoted. The same research changed the questions by focusing on the experience employers had with blacks in the work place, which had more of a positive response. If blacks are receiving positive appraisals of the actual work they do, then why are their merits in question? Anyone, regardless of race, will not easily accept a lower paying job if they believe they can get hired in better position. It is obvious that many employers will judge the qualifications of job candidates by the type of school the applicant attended. O'Neill and O'Neill (1992) conducted a longitudinal study covering the years from 1966 to1980 on Affirmative Action and labor market.

During the earlier part of the period, the educational and wage gaps were greater because blacks were denied good education. According to Polyne (2003), opponents and supporters equally agreed that "...that educational spending in urban, suburban and rural districts needs to be more equitably distributed in order for students of color to succeed in the national and international marketplace" (Polyne, 2003). Despite the fact that whites had a better education, blacks received better appraisals for their work. Despite the disadvantages that blacks face in the educational system, it does not affect their skills in the workplace. There is also a stereotype that not every black person received a good education. This stereotype did not take into the account that there are blacks who attended schools with excellent credentials (Leonard, 1985). Some black parents with money were able to send their kids to private schools to receive a top education in the country. Some black children had the opportunity to become a second or even third generation to go to college. Despite the types of schools blacks attended, the studies show they are still equally or more qualified for positions in the workplace.

People need to understand that experience can also increase someone's qualifications. The study also revealed that blacks hired under Affirmative Action are either equally as qualified or more qualified than their white counterparts and likely to consider the process fair (Holzer& Neumark, 1999). As long as blacks who are hired under Affirmative Action have the qualifications to fit a certain job description, it shows that they are qualified. In addition, the Employer's evaluation showed that blacks' competitive performance ratings were higher than white workers, which implies that there is a reason to believe that blacks bring excellent skills in the labor market (Coleman, 2003). According to Holzer and Neumark (2000), Affirmative Action does not need to lower credentials, performance, or qualifications of blacks that was hired, so long as the employers managed the program legally. Blacks had already proved that they are the right person for the position.

Another problem is the stereotypes lead blacks to question their own abilities. In the article of "On Affirmative Action: Psychological contributions to policy," Wilson stated how Affirmative Action will "drive a wedge" between African Americans (Crosby & Clayton, 2001). If the policy causes conflict among blacks than the possibility that their self-doubts about their ability posed the same question within their own race. This issue referred back to Sigelman and Tuch (1997) and their study of stigma article showing how a stigmatized person will ask certain questions about their qualifications, which shows a sign of having a lack of confidence. When blacks were asked questions about their own qualifications, it causes them to question the qualifications of others within their race. It reinforces the other critic's belief that Affirmative Action does not hire qualified candidates, which causes them harm when one of the critics is the employer that makes the hiring

decisions. The journal also further explains how the self-doubt beliefs are connected to the stigma theory.

Another problem of Affirmative Action occurs when an employer is not educated enough about the policy, intentionally or even unknowingly implements the policy illegally as an attempt to avoid sanctions and lawsuits. Konrad and Linnehan (1995) studied that employer support is an important factor to determine how effective employers run the program. Some employers may feel that they have to lower their credentials to hire black applicants, in which according to the previous study, which is unnecessary. If white employees believe that the standards are much higher for them to get the position than for black employees, then it will cause conflict in the workplace. An employer makes another illegal attempt when they choose any blacks without thoroughly checking their qualifications. These types of practices lead to the stigmatization of that group and it has a long-lasting effect, which is why there are conflicting ideas about Affirmative Action.

How does Stigma theory help explain these unintended consequences

Link and Phelan (2001) stated that stigma could be seen as a relationship between a trait and a stereotype that connects a person to undesirable stereotypes. Stigma involves a label and stereotypes, with the label that is connecting a person to a set of undesirable characteristics that form the stereotype (Link and Phelan, 2001). Connecting the labels to undesirable attributes become the justification for believing that negatively labeled persons, such as blacks, are different from those who do not share the label-different types of people, which are whites (Link and Phelan, 2001). Stigma includes four components: people distinguishes the label human differences, dominant cultural beliefs connects the labeled

persons to undesirable characteristics, the labeled persons are placed in separate categories to make a separation of us from them, and labeled persons experience status loss and discrimination that lead to unequal outcomes.

The first component of stigma is how people distinguish and label human differences, which plays a huge role in our society. Link and Phelan, (2001) stated that once the differences between whites and blacks are identified and labeled, they are taken for granted as being just the way things are. According to Link and Phelan (2001), human differences are involved in two ways. First, it occurs when there are many generalizations that are used to create groups such as the assignment of individuals to categories of Black or White. Second, is when stating that the traits are the most important factor to address reveals the main role of the social selection of human differences and differs tremendously amongst different groups (Link and Phelan, 2001). In the workplace, when the employers are interviewing, one thing they will most likely notice is the difference in the race of every applicant. Particularly if the interviewer is white and they are interviewing a black applicant, it is natural to notice the differences and may connect their perception of the trait that blacks may possess to whether they have the ability to perform the job properly (Link and Phelan, 2001).

The second component of stigma is that overall cultural beliefs correlated labeled people to undesirable characteristics, which are called negative stereotypes (Link and Phelan, 2001). As stated earlier, blacks experienced one of the most common stereotypes because they had a history of society considering them as being inferior to whites. If the interviewer agrees with the negative stereotypes that the society places on blacks, then it can affect that person being interviewed for the position. In addition, white employees may

have negative stereotypes against their black co-workers, which may also cause a conflict in the work place. When stereotypes occur, people tend not to seek the truth about the other person connected with the negative stereotypes, which leads to the third component.

The third component of stigma is when the labeled races of people are placed in separate categories to accomplish some degree of separation of us from them. This component explains the fact that blacks, who are negatively labeled, are different from those who do not share those labels. The literature, "What does Affirmative Action do," asked an important question and that is "...Does Affirmative Action put in place a set of incentives that moves us toward equally qualified men, women, and minorities in the workplace?" (Holzer & Neumark,2000). If we considered everyone equal, then the question should be does the program provide benefits that move us toward equally qualified men and women? In other words, it appears to separate minorities from other groups. According to Coleman, (2003) seventy-five percent of whites believe that it is possible for less qualified blacks to get their positions and promotions over more qualified whites. Some human resource officials reported that managers, who make the final hiring decisions, separate the two groups and used negative stereotypes as their screening decisions to separate, what they consider, qualified whites over unqualified blacks (Link and Phelan, 2001).

The fourth component is that labeled persons experience status loss and discrimination that lead to unequal outcomes. "The point of stigma of incompetence is to discount the beneficiary's qualifications as a foundation for selection and base the assumption that the individual was hired only because of his or her group membership" (Heilman et al, 1997). There is also an issue of discounting, which occurs when the performance of beneficiaries is pointed to race and the beneficiaries are perceived to possess

lower levels of qualifications than would be perceived in the absence of race and gender preferences (Evans, 2003). According to Evans (2003), "Affirmative Action- related stigmatization is said to occur when the appraisal of a beneficiary's performance or ability to perform is more negative than a similar non-beneficiary". When the appraisal of the beneficiary is more negative then the non-beneficiary, it produces unequal results as far as promotion and retention of black employees. White men are more likely than women and blacks to have any position of power.

White men are more likely to have their ideas accepted and more to become a leader of a group (Link and Phelan, 2001). This type of problem will also make a black person less likely to be chosen for the positions of becoming a chief executive office of a corporation (Link and Phelan, 2001). This greatly affects blacks when they are trying to apply for the upper management position because those types of position are required to make major decisions that will affect the company. The issue shows how having a status that is devalued in the wider society can lead to actual forms of inequality in the context of social interactions within small groups (Link and Phelan, 2001). Institutional racism refers to accumulated institutional practices that work to the disadvantage of racial minority groups even in the absence of individual prejudice or discrimination (Link and Phelan, 2001). Once the cultural stereotype is in place, it can affect labeled persons in important ways that do not involve obvious forms of discrimination behavior on the part of people in the presence of the stigmatized person (Link and Phelan, 2001). According to Coleman (2003), he believed that blacks are more closely supervised and are provided less job complexity, yet white men were always privileged and had better opportunities. These types of actions can cause the stigmatized person to ask certain questions, such as, "am I

actually qualified for this position or did I get it because of my skin color?" that is a sign of lost confidence (Sigelman & Tuch, 1997). According to Sigelman and Tuch (1997), stigmatized people accept the dominant view of their lower status and are less likely to challenge structural forms of discrimination that block opportunities they desire. Direct discrimination reinforces the belief among stigmatized groups that they will be treated in accordance with stereotypes. An "economic explanation of discrimination" (cognitive shorthand) based on the assumption that blacks are less productive and less committed to their careers (Haagsma, 1998). Some employers believe that investment in African-Americans offers lower returns than investment in whites. When Affirmative Action is established to help a stigmatized group to gain opportunities, then it results in the unintentional consequences that occur.

Recommendations based on findings

In the article-conceptualizing stigma Link and Phelan (2001) offered several approaches to ending stigma. The most important approach is to change the employer's beliefs and attitudes about minorities. As stated earlier by Robinson, Seydel, and Douglas (1998), the employer's attitude determines the effectiveness of the program. If the employers believe that blacks are more likely to become unqualified for a position, then the belief will reinforce the attitude of employees about their beliefs towards their black colleagues.

In order to determine what qualification is required, the qualifications have to be according to the job requirements. For example, it is important to determine the minimum level of education that matches the job description. The minimum cannot be unreasonable

because there is a disparity in education among different groups, but has to be enough where the employee is capable of performing the job duties. Understanding the job description of a position accurately predicts if a candidate is qualified for a position (Holzer& Neumark, 1999). Prejudice and racism is very hard to change, but the important thing is that managers are required to make good efforts to choose the right employees regardless of race.

Another recommendation that is needed in the workforce is to educate the employers about the program so they can avoid of running the risk of managing the program improperly. Managing the program improperly may cause employees to file lawsuits as well as receiving sanctions from the government. The problem is not only the Human Resource officials need to intervene, but provide guidance for managers on how Affirmative Action works and how to make their final hiring decisions legally. Education should also start with college graduates who have a goal of becoming managers in the future. Increasing the awareness of Affirmative Action to the college graduates may decrease the amount of problems that will occur when they enter higher positions.

Also, just as important employers should avoid using the term preferential treatment. As stated earlier, the title is giving people the wrong ideas that employers are allowed to hire employees based on their membership. When white men believe that they do not belong to that certain group, they will question the fairness of the Affirmative Action policy and will resist the policy. The main form of Affirmative Action that needs to be advertised is the employers are actively seeking equally qualified candidates of diverse backgrounds.

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