Answer to HR Management Unit 5 Assignment

Course’s Name

Student’s Name

Professor’s Name

Institution

Due Date

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**Answer to Question 1**

The unlawful discrimination could persist for more than 55 years after the passage of Title VII of the 1964 Civil Rights Act due to a variety of reasons. Nowadays are the Baby Boomers whose age range is from 54 to 72 and due to that approximately 20-years in age, they have broadly various points of view about retirement and work performance. While only about more than 5,000 Baby Boomers retire on a daily basis, many of them have inappropriate savings for their retirement plan. Work-life has changed significantly after Boomers entered many companies' working environments. Rather than a career spanning one area of expertise and several job positions as was predicted at the start of their occupations, most employees nowadays can be expected to have 11 distinct job positions in a dynamic and modern economy like today. As a result, the older employees that lose their job position have much more trouble when it comes to finding a new job than younger employees. For example, a 52-year-old employee who may have been laid off before 2010 at the start of the Great Recession is now more than 60 years old. The average period of time for the unemployment of a 52-year-old could be almost a year, and it could have taken that old employee two or three years to apply for a new job position. Even worse, that new job position could not have been on a par with the one those old employees had before. In this regard, those old employees have to work longer than their original plan in order to cover that financial loss.

The passage of Title VII of the 1964 Civil Rights Act could be enacted by Congress in order to ban age discrimination in the working environment and have the older employees' employment promoted. Indeed, Narine (2015) has argued that “the passage of Title VII of the 1964 Civil Rights Act could be an integral portion of congressional activities during the 1970s to guarantee an equal chance in the working environment along with the other laws” (p. 637). Together, the companies' working environment was transformed by those acts when the barriers to chance were broken down so that the foundations of fairness and equality are built. In passing the Title VII of the 1964 Civil Rights Act, it is further realized by Congress that discrimination in age could be caused mainly by unfounded hypotheses that age impacted capability. In this manner, such arbitrary discrimination can be prevented and stopped when the Title VII of the 1964 Civil Rights Act requires the HR managers to take individual capability into consideration, instead of their own assumptions about age, in coming up with an important employment decision. And more than 50 years after the enactment of the Title VII of 1964, it is noticed by Nance (2005) that "it was done not just to have the law enforced, but to provide the realities that would certainly help change employees' attitudes" (p. 461). In particular, it was widely supposed that at a certain age and in certain job positions, age limited the skills and understanding of older employees.

**Answer to Question 2**

In fact, Sexual Harassment was constituted by the U.S. Equal Employment Opportunity Commission, which refers to the federal agency formed according to the Civil Rights Act of 1964 so that the civil rights laws against discrimination in the companies' working environment can be administered and enforced (Mello, 2015). According to Sexual Harassment, it is against the law to harass an employee or a job applicant due to that individual's gender, and harassment may consist of requests for sexual favors, unwelcome sexual advances, in addition to other physical and verbal harassment of a sexual nature.

There are many responsibilities and rights that an alleged recipient of Sexual Harassment can have, and it is because appropriate and prompt corrective action will be taken if the credibility of an allegation of such harassment is determined by the organization. In specific, Robinson & Allen (1993) have indicated that “workers that have been discovered by the organization to have subjected other individuals to such harassment activities can be subject to discipline as well as other adequate management action” (p. 123). In this manner, the organization is supposed to take essential processes to make sure that the issue can be adequately addressed and examined. And in the case that the allegation is indeed credible, then effective and immediate measures will be taken in order to terminate the employees' unwelcome behaviors.

**Answer to Question 3**

In fact, our present employer must be concerned about unionization mainly because individuals always tend to together in order to resolve issues and conduct changes that can enhance the living standards and the communities of the employees. In other words, employees join with each other through unions so that they can strive for advancement in the working environment in which a large portion of those employees' waking hours has been spent on their work performance. According to Bryson, Cappellari & Lucifora (2015), “with unions declining in the U.S., the employees' abilities to come up with the negotiation with our present employers throughout a procedure known as collective bargaining as well as their freedom must be broadly recognized as a basic human privilege across many worldwide companies” (p. 374). Furthermore, the HR managers of our present employment frequently resist unionization according to the fact that those unions usually try to negotiate work regulations that are to the advantage of their individuals. Worse yet, business members that have participated in union environments have regularly complained of the lack of flexibility as well as the complication unions frequently generate when it comes to handling poor-performing union members. Other than that, our present employer may find dealing with unions to be not pleasant that they determine to increase benefits and pay in a voluntary manner in order to preempt unions in having those benefits advertised. That is because unions may have plenty of choices at their disposal in order to pressure company management into accepting the conditions and terms union individuals are requesting. Moreover, the strategy available to the union consist of picketing, boycotting, and striking, which results in the fact that employees can quit their job positions and decline to return except when the organization can come up with a resolution for their issue at hand.

**Answer to Question 4**

A perceived and real discrimination issue has taken place in the organization where we previously worked, and our HR department has done a great job in handling that issue. In fact, the corresponding employee was accused of fraud because his hiring managers stated that he was having the company's data falsified after he mistakenly submitted inappropriate information when performing one of his important tasks (Hatchell & Aveling, 2008, p. 370). Consequently, that employee was provided lesser responsibilities, taking away significant parts of his job position, and was mentioned he needed to retrain before he was able to continue with these duties that made up the job position he performs. Therefore, the company was taken by that employee to an employment tribunal for discrimination issues as he mentioned that he had been upfront with other employees in his workplace from the beginning. It is further discovered by the tribunal that our previous organization could not manage to come up with reasonable adjustments for that employee and had indeed discriminated against him because of the effects of his sickness, which further indicates that the employee may have difficulties with writing, reading, or telling the time. It was additionally investigated by the U.S. court that the employee is victimized by his hiring manager and that there seems to be no or little understanding and knowledge of discrimination issues within the organization where we previously worked.

Besides the above issue, in the organization where we had worked before, there is an employee who was spied on by his hiring manager, declined the chance to progress within the organization, and thus had been bullied by HR and other staff members as a consequence of his skin color. Even worse, the employee was placed under close surveillance for a few days by our last organization because of his back injury, and the images of his garden and home were received by the company. This action of our organization is undoubtedly intimidating, upsetting, and unnerving for that employee who had experienced such discrimination issue. The internal progression for that employee was additionally refused on the foundation that he was black and had applied for a similar post on four various occasions, with all four of the hiring decisions being conducted by the same HR manager. However, when the HR department handled this issue relating to this employee's complaint about the different events which he could consider to be discriminatory, that employee was asked to look for a new job position and was accused of resulting in the distress of his colleagues. Even worse, that employee was told in an email from our previous company's HR department that he was not the only black staff member within his team and no other racism allegations had been raised before. Finally, fortunately for that employee, when his case was investigated by the judge and when the evidence is taken into account, he won his claim and our previous company was supposed to compensate for his traumatic experience.

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