



UNDERSTANDING DIVERSITY & INCLUSION IN TODAY'S WORKPLACE

The workplace is an extension of our local communities and social environments. Many employees spend more time at their job than they do at home or socializing. Employers should make sure their workers feel safe at their place of employment and that everyone is treated equally regardless of race, national origin, age, gender identification, or sexual preference. The workplace should be a haven for fair treatment, respect, and a place where diversity is honored and encouraged.

Defining Diversity and Inclusion

For some, the concept of diversity and inclusion (D&I) becomes less clear when you focus simply on a textbook definition. In actual practice, a company with a diverse and inclusive culture encourages and rewards the open exchange of ideas and a wide variety of points of view and ways of working. Differences among

individuals are celebrated, not discouraged or penalized. D&I practices are anchored by company policies that ensure the fair and equitable treatment of employees and help to attract a diverse pool of new talent. To that end, employers should make sure that their workplace policies are not written or implemented in a way that singles out any specific group for unfavorable treatment.

Ultimately, the federal government, individual states, and localities shoulder the burden of outlawing discriminatory behavior by passing laws and ordinances to protect workers in protected classes.

Legal Protections for Employees

The starting point for individual protections against discrimination of employees is Title VII of the 1964 Civil Rights Act. The Act made it illegal for employees to be treated differently based on

specified characteristics: race, color, national origin, sex (gender), and religion. Thus, establishing what we know today as legally protected classes. In effect, it bars employers from making decisions or taking action related to the recruitment, hiring, promotion, discipline, or overall employment of an individual based solely on their membership in a protected class. Later, the Age Discrimination Act of 1967 added protections for employees age 40 or older, thus adding age to the list of protected employee characteristics.

Most recently, Title VII was expanded to protect the LGBTQ community. On June 15, 2020, the U.S. Supreme Court found that Title VII's protections extend to an individual's sexual preference or orientation, and that transgender employees are also protected because discrimination based on gender identification falls under the protected characteristic of "sex."

How to Identify Workplace Discrimination

Any actions taken by employers that create a disparate or separate treatment for individuals in a protected class are discriminatory. Discriminatory treatment can stem from how specific company policies are written (if they explicitly target or negatively impact a protected class). Even if the policy is written fairly, the execution of the policy can result in disparate treatment of protected classes of employees. Therefore, it is critical for employers, managers, and individual employees to be aware of their actions to ensure no individuals are isolated or

singled out for unfair treatment or worse--bullied or harassed-- due to their membership in a protected class, such as women or racial minorities.

D&I – Beyond Training

An ounce of prevention is worth more than a pound of cure when building a more diverse and inclusive workplace. Discriminatory actions are far less likely to occur in an environment where people recognize that D&I policies and practices create more opportunities for success – for everyone. Recent studies have shown that companies with more diverse leadership, for example, achieve better financial results and greater employee satisfaction.

It is also essential for employers to understand that building diversity and inclusion within the workplace goes well beyond training. Substantive results are achieved by infusing D&I into the culture. For example, a company can dispel biases and avoid perceived stereotypes or tokenism by providing more visibility to underrepresented individuals. Experts agree that collecting, analyzing, and comparing diversity data year over year is valuable and that managers and supervisors should be involved right from the start. D&I initiatives should fit and enhance how managers work.

Think of your workplace as a community. Celebrate its diversity and create opportunities to engage the many backgrounds, rich cultures, and personal characteristics of all its members.