

EQUAL OPPORTUNITIES

by **John Ball**

02 Sep 2002

Organisations and businesses are made up of many individuals working together to achieve organisational success. These individuals bring different attitudes, perceptions and learning experiences to the workplace, as well as ethnic, gender and personality differences.

These can be a source for developing creativity within an organisation. However they can also be the cause of problems. Over the past 30 years or so employment has changed beyond all recognition. This change has led to a fundamental re-thinking of the way employees are managed. Managers have had to recognise the need (or in many countries the legal requirement) to develop and enforce company policies aimed at reducing and eliminating discrimination. In addition, the increasing globalisation of business has meant that managers must be aware of cultural and race issues.

Equal opportunities is a universally used and understood term which describes the idea that everyone in an organisation should have an equal chance to apply and be selected for posts, to be trained or promoted and to have employment terminated fairly. Employers can discriminate only on the basis of ability, experience or potential. All employment decisions are based solely on an individual's ability to do a particular job. No consideration should be taken of a person's sex, age, racial origin, disability or marital status.

In addition, many organisations have adopted a sex discrimination policy that requires gender equality in all areas of employment including the selection process, opportunities for training, promotion, benefit provision, facilities and dismissal. Such a policy deems it wrong to make any form of discrimination within employment matters because of marital status or sex and covers three main categories of sex discrimination: direct discrimination, indirect discrimination and victimisation.

Direct discrimination involves treating a person less favourably than others on sexual, racial or marital grounds. For example, a dismissal from employment upon marriage. One act of discrimination is sufficient and must be directed against an individual. Indirect discrimination describes a term or condition applicable to both sexes, but where one sex has a considerably lesser ability to comply with it than the other. For example, a condition that a candidate must be of a particular height. Finally, victimisation is discrimination against an individual who has brought proceedings or given evidence in another case involving discrimination or disciplinary matters.

A race relations policy adopts the same approach as the sex discrimination policy. However, this policy looks at racial grounds and racial groups, phrases which refer to

colour, race, nationality or other ethnic or national origins. The same three categories of direct and indirect discrimination and victimisation can be applied.

An equal pay policy requires that both women and men receive identical pay in respect of what is described as 'like work', 'work that is rated as equivalent' or 'equal value'.

'Like work' defines work of a broadly similar role where differences are not of a practical nature. 'Work equivalent' is where work has been evaluated and graded to be equivalent to other work in relation to effort, skill and decision-making. Work of 'equal value' is that of a woman's to that of a man's in the same organisation.

As well as issues affecting gender and race discrimination issues, employers are paying more attention to the rights of the disabled in the workplace. Many organisations have therefore adopted a disability discrimination policy.

A disabled person is defined as someone who has a physical or mental impairment that has substantial and long-term (more than 12 months) adverse effect on his or her ability to carry out normal day-to-day activities. Severe disfigurement is included, as are progressive conditions such as HIV, even though the current effects may not be substantial.

Factors affecting ability include mobility, manual dexterity, physical coordination, lack of ability to lift or speak, hear, see, remember, concentrate, learn or understand, or to perceive the risk of physical danger. In addition, the employer has the duty to make reasonable adjustments to the physical features of the workplace where they constitute a hazard to the disabled person.

The disability discrimination policy must also make it clear that it is wrong to discriminate against disabled people in the interviewing and selection process, for promotion, transfer or training and dismissal.

In some cases, managers can be confused between the ideas and requirements of equal opportunities and the more up-to-date idea of managing diversity. In many ways laying down policies and procedures to ensure that discrimination is eliminated from the workplace is admirable, desirable and indeed good for business.

The new generation of managers regard the quality of their employees as the distinguishing feature of a successful organisation. People are the single sustainable source of competitive advantage – high performance through the development of people is essential if organisations are to remain viable and competitive.

The promotion of equal opportunities makes good business sense. Equal opportunities are promoted as a key component of good management as well as being a legal requirement. It is also socially desirable and morally right.

Managing diversity on the other hand expands the horizons beyond equality issues and builds on recognised approaches to equal opportunities. It adds new impetus to the development of equal opportunities and creates an environment in which

enhanced contributions from all employees works to the advantage of the business, employees themselves and society generally.

It offers an opportunity for organisations to develop a workforce to meet business goals and to improve approaches to customer care. Managing diversity is about having the right person for the job regardless of sex, race or religion.

Essentially the management of diversity is a quality assurance approach. It helps identify hidden organisational barriers, which make it more difficult for people who are perceived as being different from the majority of their colleagues to succeed and develop careers.

It also helps to effect cultural change and to create an environment in which people from all backgrounds can work together harmoniously. The management of diversity combats prejudice, stereotyping, harassment and undignified behaviour.

Dr John Ball is former examiner for Paper 1.3