

EMPLOYEES' DISCRIMINATION AT WORK PLACE: AN ANALYTICAL STUDY

Shikha Pareek*
Shikha Jalan**

ABSTRACT

This research paper examines the employee discrimination at work place and its effect on employees' performance. Discrimination is defined as the different treatment of two equally qualified individuals on behalf of their gender, race, age, disability, religion etc. an organization face challenges in providing equal opportunities for all employees at workplace. Analytically, most of the reasons of discriminations of all types in workplaces revolve around the role of human resources managers. Discrimination at workplace includes some factors that are age, gender, color, nationality, religion. Discrimination in the work place occurs from a lack of respect to the diversity and poorly trained employees. For example, employees with adequate training understand the discriminations laws and can easily tackle with other employees. It is clearly seen that discriminations always demotivate employees and reduces the possible job satisfaction, their performance level and loyalty towards the organization.

KEYWORDS: Job Satisfaction, Employee Discrimination, Discriminations Laws, Loyalty, Retaliation.

Introduction

Discrimination means unequal treatment or proposing to treat someone unfavorable. This unfairness occurs when the treatments of a particular category of people are unjust. It happens when an employee or job applicant is treated unfairly because of their race, gender, nationality, religion, age, disability. It could mean a female employee being paid less than a male colleague for doing the same job, or an employee from a minority ethnic community being refused the training opportunities offered to other colleagues. Discriminatory practices include bias in hiring, promotion, job assignment, termination, compensation, retaliation, and various types of harassment. Unfortunately, workplace discrimination still occurs in today's society despite federal, state and local employment laws that prohibit discriminatory treatment. There should be equal pay and equal work opportunities given to all without any discrimination.

Objectives of the Study

- To identify the causes of discrimination in workplace
- To identify the impact of workplace discrimination on employee's performance
- To find out forms of discriminations in workplace and their effects on job satisfaction and their performance level.
- To understand the law against employee discrimination.

* Assistant Professor, Department of Management and Commerce, Jayoti Vidyapeeth Women's University, Jaipur, Rajasthan.

** Assistant Professor, Department of Management and Commerce, Jayoti Vidyapeeth Women's University, Jaipur, Rajasthan.

Different Types of Employee's Discrimination

The various types of discrimination is prohibited by the laws:

- **Age:** Age discrimination involves treating an applicant or employee less favorably because of his or her age. (Age preference in job advertisement)
- **Gender:** Discrimination involves treating someone unfavorably because of that person's gender.
- **National Origin:** It involves treating people (applicants or employees) unfavorably because they are from a particular country.
- **Color:** Color discrimination involves treating someone unfavorably because of skin color complexion.
- **Religion:** It involves treating a person (an applicant or employee) unfavorably because of his or her religious beliefs such as Buddhism, Christianity, Hinduism, Islam, and Judaism.

Causes of Employee's Discrimination at Work Place

Discrimination still occurs in the workplace today despite laws put into place to protect employee rights. But ignorance of the law by the organizations is the major reason of employee discrimination. Even the most effective human resources department cannot prevent discrimination unless your employees are adequately trained. "Everyone has the right to work, to free choice of employment, and to protection against unemployment. Every one, without any discrimination, has the right to equal pay for equal work," as stated by the Universal Declaration of Human Rights. A violation of these human rights causes unlawful discrimination. Other causes of employee discrimination are an abusive relationship of employer and employee through the granting of breaks, leave approval and work station assignment. A skeptical attitude of complaints is a cause of discrimination. Some employers ignore complaints of discriminations in workplace thus promoting the reoccurrence of the behavior. The human resource managers is also responsible for the discrimination in ways such as salaries, task allocation, and promotions. Lack of diversity training is the cause of workplace discrimination. In some organization managers takes action against employee for no reason because of retaliation.

Impact of Workplace Discrimination on Employee's Performance

The major negative effects of workplace discrimination are the poor working atmosphere it creates. Discrimination diminishes human resource and creating a hostile work environment for the employers and employees. Discrimination increase rates of turnover in organization and News of workplace discrimination tends to spread fast, it is very harmful for the goodwill of the organization. Another negative effect of employee discrimination is loss of focus and wasting of time. Workplace discrimination usually has a devitalize effect on the employee's psyche. The victim feels unworthy and at fault, falls into a rut of depression. Workplace discrimination can create jealousy among employees and pit employees against one another if they feel they aren't judged solely on their merits and achievements. When an employee is discriminated, he often feels helpless, and may suddenly lack interest in job responsibilities, career growth or the company's welfare.

Employee Discrimination Laws in India

The main law that deals with employee discrimination in India is the Equal Remuneration Act of 1976 which provides for payment of equal remuneration to men and women for work of similar wages.

Highlights of Equal Remuneration Act, 1976

- **Equal Pay:** As per the Equal Remuneration Act, equal pay must be paid for same type of work irrespective of gender. "Work of a similar nature" means work in respect of skill, effort and responsibility required are the same, when performed under similar working environment, by a man or a woman and the differences, between the skill, effort and responsibility required of a man and those required of a woman are not of practical importance in relation to the terms and conditions of employment.
- **Employers Responsibility:** All employers in India have the duty to comply with the Equal Remuneration Act of 1976 while recruiting employees. Some of the key duties of employers are:
- **Recruitment:** During the recruitment process, employers should not make any discrimination against women for the similar nature of work. Also, with respect to promotion, training and transfers, employers cannot discriminate between men and women employees.

- **Equal Wages:** All employers are required to pay equal wages to men and women employees for performing the same types of work. Further, to comply with the rules & regulation, the employer cannot reduce the wages rate of any worker.
- **Maintenance of Register:** All employers are required to maintain human resource information system containing the details of all employees in the organization. Failure to maintain proper documents could result in simple imprisonment of up to one month or a fine of Rs. 10 thousand or both.

Conclusion

In the study, it is clearly visible that prejudice is a vice in the organization. It affects the continuity and reduces creativity in the organization. Many factors are responsible for the discriminations in the organizations. The negative stereotypes about the people of a particular origin promote discriminations in the workplace. Besides, the poorly trained employees in the workplace do not understand the discrimination laws. It is obvious that gender preference in a workplace is discriminations. The management of an organization may prefer to work with employees of a particular sex and origin because of personal outlook. Additionally, the inadequate laws that protect the employees in the organization provide a soft corner for prejudice. Ideally, discrimination exists in different forms. For example, some employees are discriminated because of gender, origin, color, age, and academic qualification. Irrespective of the nature of discriminations, the outcomes of the discriminations are negative for the developments of the organization. A comparative study of different organizations with different types of discriminations shows that discriminations reduce the levels of motivations. Motivated employees are creative and they have better understanding in solving the organizational problems. However, an organization with high levels of discrimination have bored employees, high levels of stress and less productive. It is apparent that employees who feel valuable in the workplace are satisfied with their jobs and feel part of the organization.

References

- ✧ Ajzen, I. 1991 The theory of planned behavior. *Organizational Behavior and Human Decision Processes* 50:179–211.
- ✧ Altonji, J.G., and R. Blank 1999 Race and gender in the labor market. *Handbook of Labor Economics* 3:3143–3259.
- ✧ Antecol, H., and P. Kuhn 2000 Gender as an impediment to labor market success: Why do young women report greater harm? *Journal of Labor Economics* 18(4):702–728.
- ✧ Ayres, I., and P. Siegelman 1995 Race and gender discrimination in bargaining. *American Economic Review* 85:304–321.
- ✧ Becker, G.S. 1957 *The Economics of Discrimination*. Chicago: University of Chicago Press.
- ✧ Blinder, A. 1973 Wage discrimination: Reduced form and structural variables. *Journal of Human Resources* 8:436–455.
- ✧ Fredrickson, G.M. 2002 *Racism: A Short History*. Princeton, NJ: Princeton University Press.