

A CRITIQUE OF JOB DISCRIMINATION IN THE WORKPLACE: SHAW'S ETHICAL PERSPECTIVES AND CONTEMPORARY APPLICATIONS

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Abstract

This research critically evaluates job discrimination in the workplace through the lens of Shaw's ethical perspectives and contemporary applications. The study through the critical analytic method aims to examine the meaning and forms of discrimination, statistical and attitudinal evidence, historical and legal context of affirmative action, moral arguments for and against affirmative action, the doctrine of comparable worth, and the controversy surrounding it. Additionally, the research explores the moral implications of sexual harassment in employment. The critique reveals that while Shaw's work provides valuable insights into the moral implications of discrimination, it has limitations, including a limited scope, lack of intersectionality, overemphasis on moral arguments, and limited engagement with contemporary issues. Despite these limitations, Shaw's work has made significant contributions to the academic field and society by raising awareness about discrimination, informing policy and practice, advancing ethical scholarship, and providing a foundation for future research. This study contributes to the existing literature by offering a critical evaluation of Shaw's ethical perspectives and their contemporary applications, highlighting the need for ongoing critical evaluation and ethical consideration in addressing job discrimination in the workplace. The research aims to inform policymakers, practitioners, and scholars about the complexities of job discrimination and the importance of addressing it in employment settings.

Keywords: Employment and workplace, affirmative action, comparable worth, sexual harassment

Introduction

The work place has posed a lot of challenges, obstacles and storms which has often made detrimental and devastating creating cracks in the walls of civil service and most often so in the business world. This, being piped through the spectrum of discrimination according to Shaw surfaces in diverse forms of racism, gender inequality, sexual harassment etc in low and high places. It is against these backdrops that Shaw attempts a critique which in turn proffers reasonable solutions and approaches to the enigma of job discrimination in workplace. In his seminal work, *Business Ethics* (1991), William H. Shaw presents a comprehensive examination of the ethical issues that arise in the business world. One of the critical areas he addresses is job discrimination, a pervasive problem that has significant implications for individuals, organizations, and society as a whole.

Shaw argues that job discrimination is not only morally wrong but also detrimental to the well-being of employees, the success of organizations, and the advancement of social justice. Through a critical analysis of the ethical principles and moral theories, Shaw provides a framework for understanding the complexities of job discrimination and its various forms, including racial, gender, age, and disability discrimination. For the purpose of clarity and comprehension, this paper will be divided into six sections with additional subdivisions where appropriate which will explicate Shaw's ethical perspectives on job discrimination, exploring the conceptual underpinnings of discrimination, the statistical and attitudinal evidence of its persistence, and the historical and legal context of affirmative action. By examining Shaw's *Business Ethics*, this paper aims to provide a nuanced understanding of the ethical dimensions of job discrimination and its ongoing impact on contemporary workplaces.

Meaning of Job Discrimination and its Different Forms

According to Shaw (1991), job discrimination refers to the practice of treating individuals unfairly or differently because of their race, gender, age, religion, or other characteristics. This can occur in various

forms, including hiring, promotion, compensation, and termination. Shaw argues that job discrimination is a violation of basic moral and ethical principles, such as respect for autonomy and dignity. He also notes that discrimination can take subtle forms, such as bias in decision-making or unequal access to opportunities (Shaw, 1991, p. 123). Similarly, philosopher and ethicist, John Rawls (1971), argues that discrimination is a form of injustice that can perpetuate social inequalities. Rawls contends that discrimination can be understood as a violation of the principle of equal basic liberties, which is essential for ensuring fairness and justice in society (Rawls, 1971, p. 506).

Additionally, social psychologist, Gordon Allport (1954), notes that discrimination can result from prejudice and biases that are deeply ingrained in individuals and social norms. Allport argues that discrimination can be understood as a form of "ingroup-outgroup" bias, where individuals favor their own group over others (Allport, 1954, p. 34). As earlier stated, though Shaw defines job discrimination as the practice of treating individuals unfairly or differently because of their race, gender, age, religion, or other characteristics, he went further in his analysis on discrimination in the workplace to discuss the various forms of discrimination. Shaw argues that job discrimination is a violation of basic moral and ethical principles, such as respect for autonomy and dignity. He also notes that discrimination can take subtle forms, such as bias in decision-making or unequal access to opportunities. Shaw buttressed this in the first paragraph to this section when he echoes Professor Manuel G. Velasquez who alludes that "to discriminate is to make an adverse decision against employees based on their membership in a certain class" (Shaw, 1991, p.289).

Some basic forms of discrimination as expounded by Shaw:

-Personal Prejudice or Bias-Based Discrimination: This form of discrimination occurs when individuals make decisions based on their own personal prejudices or biases. For example, a manager may refuse to hire someone from a certain racial or ethnic group because of their own personal beliefs. Shaw notes that this type of discrimination is often illegal and can result in serious consequences for individuals and organizations.

-Unthinking or Unconscious Adoption of Traditional Practices and Stereotypes: This form of discrimination occurs when individuals unthinkingly or unconsciously adopt traditional practices and stereotypes that discriminate against certain groups. For example, an employer may use language in job postings that discourages women or minorities from applying. Shaw argues that this type of discrimination can be just as harmful as intentional discrimination.

-Institutional Policies that Explicitly and Intentionally Discriminate: This form of discrimination occurs when institutions have policies that explicitly and intentionally discriminate against certain groups. For example, a company may have a policy that prohibits the hiring of individuals from a certain country or religion. Shaw notes that this type of discrimination is often illegal and can result in serious consequences for organizations.

- Institutional Practices that Appear Neutral but harm Members of Traditionally Discriminated-Against Groups: This form of discrimination occurs when institutions have practices that appear neutral but actually harm members of traditionally discriminated-against groups. For example, an organization may have a policy that requires employees to work long hours, which may disproportionately affect women or caregivers. Shaw argues that this type of discrimination can be just as harmful as well as it is destructive to their emotions.

The Statistical and Attitudinal Evidence of Discrimination.

However, Shaw notes that "Determining the presence of discrimination isn't easy, because many factors could account for the relative positions of various groups in the work world. But generally speaking, an institution would seem to be practising discrimination(intentional or unintentional) when (1),statistics indicate that members of a group are being treated unequally in comparison with other groups and (2),endemic attitudes, practices and policies are biased on ways that seem to account for the skewed statistics" (Shaw, 1991, p.281). According to Shaw, there is overwhelming statistical and attitudinal evidence of discrimination in the workplace. Shaw notes that: "Studies have consistently shown that women and minorities are underrepresented in management positions and overrepresented in lower-level jobs" (Shaw, 1991, p. 291). "Women earn approximately 70% of what men earn, and minorities earn approximately 60% of what whites earn" (Shaw, 1991, p. 292). "Surveys have shown that a significant percentage of employees believe that discrimination exists in their organizations" (Shaw, 1991, p. 293).

Other authors have also documented similar findings. For example, according to Glass Ceiling Commission , women and minorities face significant barriers to advancement in the workplace. The commission found that: "Women and minorities are underrepresented in senior management positions, and the gap is widest at the top" (Glass Ceiling Commission, 1995, p. 12).. "Women and minorities are more likely to be stuck in dead-end jobs and are less likely to have access to training and development opportunities" (Glass Ceiling Commission, p. 15). Similarly, Crosby notes that:- "discrimination can take many forms, including subtle biases and stereotypes that can affect hiring, promotion, and other employment decisions" (Crosby, 2004, p. 23). "Even when overt discrimination is not present, subtle biases can still affect employment outcomes" (p.25).

Statistical Discrimination

In tandem with what discrimination has long been practised, Shaw laments that "unemployment hits racial minorities hard, because they are often last hired and first fired. Unemployment among blacks is in general twice as high as that of whites. Of every three minority workers, one is employed irregularly or has given looking for work, and one in three is engaged primarily in a job that pays less than a living wage. Official unemployment figures for inner- City Black youths exceed 40 percent, but the actual figures are thought to be much higher" (Shaw, p.291). Statistical evidence of discrimination is a crucial aspect of understanding the extent of discrimination in the workplace. According to Shaw, statistical evidence can reveal patterns of discrimination that may not be readily apparent through other means. On page 290, Shaw notes that "statistics can provide a snapshot of the current state of affairs" and that "disparities in employment outcomes can be a strong indication of discrimination".

Shaw further explains that statistical evidence can be used to identify disparities in hiring, promotion, compensation, and termination rates between different groups. For instance, Shaw cites a study that found that women and minorities are underrepresented in management positions and overrepresented in lower-level jobs (p. 291). Additionally, Shaw notes that statistics can also reveal pay disparities between men and women, with women earning approximately 70% of what men earn (p. 292). Shaw also emphasizes the importance of considering the context in which statistical evidence is presented., Shaw notes that "statistics can be misleading if they are not properly contextualized" and that "other factors such as education and experience must be taken into account when interpreting statistical evidence".(p.293).

Given an overall survey, Shaw argues that statistical evidence is a powerful tool for identifying and addressing discrimination in the workplace. By analyzing statistical patterns and trends, organizations can identify areas where discrimination may be occurring and take steps to address it. He presents several statistical examples of discrimination in the workplace. For instance, he notes that "in 1980, women accounted for only 14.6% of all managers and administrators in the United States" (p. 291). Shaw also cites a study by the Equal Employment Opportunity Commission (EEOC) which found that "women and

minorities are underrepresented in management positions and over-represented in lower-level jobs" (p. 291).

He also discusses the statistical evidence of pay discrimination. He notes that "in 1985, women earned approximately 70% of what men earned" (p. 292). Shaw also cites a study by the National Committee on Pay Equity which found that "the average woman would have to work 14 extra months to earn what the average man earns in a year" (p. 292).

Shaw further examines the statistical evidence of discrimination in hiring and promotion. He notes that "a study by the Urban Institute found that job applicants with African American-sounding names were 50% less likely to be called for an interview than applicants with white-sounding names" (Shaw, p.293). To substantiate this statistics, he analysed that "... about 49 percent of working blacks hold white-collar jobs, up from 11 percent in 1960, although they still 14 behind whites. ...The 1979 survey of 1, 708 senior executives discovered only three blacks, two Asians, two Hispanics and eight women. The 1985 survey of 1, 362, senior executives found little improvement: four blacks, six Asians, three Hispanics and twenty-nine women"(p.292).

Attitudinal Evidence

This type of discrimination is found in derogation behavioral gestures shown to a particular group, colour, gender or sex in an organisation or work place. Shaw stated this with an illustration that " in 1972, Elizabeth Hishon went to work for King and Spaulding, a big Atlanta Law firm closely associated with the Jimmy Carter administration. Customarily, associates like Hishon are given a period of time to either make a partner or seek another job. So when Hishon had not attained partner status by 1979, she was terminated. Immediately she filed a suit seeking monetary damages under title VII of Civil rights Acts of 1964, which prohibits sexual and racial discrimination at work place"(Shaw, 1991, p.192).

Attitudinal evidence refers to the beliefs, attitudes, and biases that individuals hold towards certain groups, which can influence their behavior and decision-making. Shaw (1991) notes that attitudinal evidence can be a powerful tool for understanding discrimination in the workplace (p. 294). According to Shaw, attitudinal evidence can take many forms, including biases, stereotypes, and prejudices. Shaw cites a study by Goldman (1978) which found that managers' biases and stereotypes about women and minorities can influence their hiring and promotion decisions (p. 295). Another study by Dovidio and Gaertner (1986) found that individuals may hold unconscious biases and prejudices that can affect their behavior towards certain groups (p. 293).

Shaw also notes that attitudinal evidence can be difficult to detect and measure, as individuals may not openly express their biases and prejudices (p. 294). However, Shaw argues that attitudinal evidence is an important aspect of understanding discrimination in the workplace, as it can reveal the underlying attitudes and beliefs that contribute to discriminatory behavior. As Shaw notes, this assumption of incompetence can lead to discriminatory behavior, such as denying women and minorities opportunities for advancement or excluding them from important projects. This can create a self-fulfilling prophecy, where women and minorities are denied the opportunities they need to succeed, and then are blamed for not succeeding.

This phenomenon is supported by research from other authors. For example, a study by Valian (1998) found that women in male-dominated fields are often subject to "gender schemas" that assume they are less competent than men (p. 123). Similarly, a study by Steele (1997) found that African Americans in academic settings are often subject to "stereotype threat," where they are assumed to be less intelligent or

capable than their white counterparts (p. 156). These biases and stereotypes can have serious consequences for women and minorities in the workplace. As Malcom notes, "employers make certain assumptions about what the best looks like," and these assumptions can lead to discriminatory hiring and promotion practices (Shaw, 1991). As Shaw quotes Shirley Malcom, "when women and minorities enter male-dominated areas, they frequently are assumed incompetent until they prove otherwise" (p. 293). This assumption of incompetence can lead to discriminatory behavior, such as denying women and minorities opportunities for advancement or excluding them from important projects.

Other researchers have also documented similar findings. For example, a study by Burke and McKeen (1992) found that women in male-dominated fields often face biases and stereotypes that can hinder their career advancement (p. 123). Similarly, a study by Powell and Butterfield (1994) found that African Americans in management positions often face negative attitudes and biases from their colleagues (p. 156).

The Historical and Legal Context of Affirmative Action

The historical and legal context of affirmative action is rooted in the civil rights movement of the 1950s and 1960s. Shaw notes here that affirmative action policies were first introduced in the United States in the 1960s as a response to the persistent discrimination faced by African Americans and other marginalized groups (p. 295). The Civil Rights Act of 1964 and the Executive Order 11246 in 1965 were landmark legislation that prohibited discrimination in employment and education (p. 296). However, despite these legal protections, discrimination continued to persist, leading to the introduction of affirmative action policies aimed at promoting equal opportunities for marginalized groups. Shaw argues that these policies were not intended to provide preferential treatment but rather to address the historical and systemic inequalities faced by these groups (p. 297). As Justice Harry Blackmun noted in the landmark case of *Regents of the University of California v. Bakke* (1978), "We cannot undo the accumulated advantage or disadvantage to which race has contributed, but we can attempt to offset present and future disadvantages" (p. 298).

As Shaw notes, "J.F. Kennedy's 1961 executive order requiring federal contractors to take affirmative action to hire minorities marked a significant turning point in the history of affirmative action" (Shaw, p. 296). Additionally, Shaw highlights the importance of the 1954 Supreme Court decision in *Brown v. Board of Education*, stating that "the Court's ruling that 'separate educational facilities are inherently unequal' laid the groundwork for future civil rights legislation and affirmative action policies" (p. 297). The legal context of affirmative action has evolved over the years, with several court cases shaping its implementation. In the case of *Grutter v. Bollinger* (2003), the Supreme Court upheld the use of race-sensitive admissions policies in higher education, emphasizing the importance of diversity in educational settings (p. 299). However, in the case of *Ricci v. DeStefano* (2009), the Court ruled that affirmative action policies must be narrowly tailored to achieve a compelling government interest, highlighting the ongoing legal debates surrounding affirmative action (p. 300).

To substantiate this affirmative legal actions carried out by the supreme Court earlier in American history of civil rights as trampled upon in the case of the racially discriminated African-Americans, Anderson (2004) argues that affirmative action policies were a response to the "accumulated advantage" of white Americans, which led to persistent racial inequalities. He contends that decades of discrimination and prejudice had created a significant gap between white and black Americans, and that affirmative action policies were necessary to address this gap. Anderson notes that the policies were not intended to provide preferential treatment, but rather to level the playing field and provide equal opportunities for marginalized groups.

Skrentny (2002) on his part notes that the Civil Rights Act of 1964 and Executive Order 11246 in 1965 marked a significant shift in the federal government's approach to addressing racial inequality. Prior to these landmark legislation, the focus was on equal opportunity, but the government soon realized that equal opportunity was not enough to address the systemic inequalities faced by marginalized groups. Skrentny argues that the shift towards equal outcomes was a necessary step to address the persistent racial disparities in education, employment, and other areas. Kull (2016) did not fail to contend that the "Supreme Court's decision in *Brown v. Board of Education* in 1954 laid the groundwork for future affirmative action policies. The Court's recognition of the inherent inequality of "separate but equal" facilities was a significant milestone in the civil rights movement. Kull argues that this decision paved the way for future policies aimed at addressing systemic inequalities, including affirmative action policies. He notes that the decision highlighted the importance of addressing the historical and systemic inequalities faced by marginalized groups.

On the Supreme Court's position, Shaw notes that in the landmark case of *Regents of the University of California v. Bakke* (1978), the Supreme Court ruled that affirmative action policies that use racial quotas or set-asides are unconstitutional. This decision was significant because it struck down the use of rigid racial preferences in college admissions. However, the Court also held that race could be considered as one factor in a holistic admissions decision to achieve diversity in education. This meant that colleges and universities could still consider race as a factor in admissions, but they had to do so in a way that was narrowly tailored to achieve a compelling government interest. Shaw also discusses the Court's decision in *United Steelworkers of America v. Weber* (1979), which upheld an affirmative action plan that reserved 50% of the positions in a training program for African American workers. The Court ruled that the plan was constitutional because it was designed to address past discrimination and did not violate the rights of white workers. This decision was important because it recognized the need to address past discrimination in the workplace and provided a framework for employers to implement affirmative action plans.

Additionally, Shaw mentions the Court's decision in *Fullilove v. Klutznick* (1980), which upheld a federal statute that set aside 10% of federal construction funds for minority-owned businesses. The Court ruled that the statute was constitutional because it was designed to address past discrimination and promote diversity in the construction industry. This decision was significant because it recognized the importance of promoting diversity in government contracting and provided a framework for implementing set-asides and other affirmative action measures.

The Moral Issues: Arguments For and Against Affirmative Action

Affirmative action is a controversial topic that raises important moral questions. According to Shaw (2010, pp. 298-301), affirmative action refers to policies and practices that aim to increase opportunities for individuals from underrepresented groups, such as racial minorities and women, in education and employment. Shaw presents two cases that illustrate the moral issues surrounding affirmative action.

Case 1: Blaire, the Black Lady Engineer

Shaw describes the case of Blaire, a black lady engineer who faced discrimination at her workplace. Despite her qualifications, she was told that her drafts were "rusty" and needed training, while her male colleagues received more lenient feedback and were offered "on-the-job training." This case highlights the issue of discrimination and stereotyping in the workplace, which affirmative action policies aim to address.

Case 2: Bakke v. University of California

Shaw also discusses the landmark case of Bakke v. University of California (1978), which involved a white applicant, Allan Bakke, who was denied admission to the University of California Medical School. The court ruled that the university's affirmative action policies, which set aside a certain number of seats for minority students, were unconstitutional. However, the court also held that race could be considered as one factor in a holistic admissions decision. This case highlights the tension between affirmative action and meritocracy.

Arguments For Affirmative Action

Shaw raised three points in support of affirmative action, with point and counterpoint.

1. Compensatory Justice Demands Affirmative Action Programs

Point: Affirmative action programs are necessary to compensate for past injustices and discrimination faced by marginalized groups.

Counterpoint: However, some argue that individual individuals should not be held responsible for historical injustices and that affirmative action programs may perpetuate reverse discrimination.

2. Affirmative Action is Necessary to Permit Fairer Competition

Point: Affirmative action programs help level the playing field and create fairer competition in education and employment.

Counterpoint: Others argue that affirmative action programs undermine meritocracy and create unfair advantages for certain groups.

3. Affirmative Action is Necessary to Break the Cycle that Keeps Minorities and Women Locked into Low-Paying, Low-Prestige Jobs

Point: Affirmative action programs help break down structural barriers and create opportunities for marginalized groups to access better-paying and higher-prestige jobs.

Counterpoint: Some argue that affirmative action programs may create dependency and undermine individual initiative and achievement.

Proponents of affirmative action argue that it is necessary to address the lingering effects of discrimination and promote diversity in education and employment. Shaw (1991, p. 299) notes that affirmative action policies can help to break down stereotypes and promote cross-cultural understanding. Similarly, Boxill (1984, p. 145) argues that affirmative action is a way of making amends for past wrongs and promoting social justice. He emphasizes that affirmative action is not only a moral obligation but also a necessary step towards creating a more equitable society. Gordon (1995, p. 102) also emphasizes the importance of affirmative action in promoting diversity and addressing historical injustices. She argues that affirmative action policies can help to create a more inclusive environment and promote social cohesion.

Arguments Against Affirmative Action

Critics of affirmative action argue that it is a form of reverse discrimination that undermines meritocracy. Cohen (1995, p. 123) argues that affirmative action denies individuals opportunities based on their race or gender, rather than their qualifications. He contends that affirmative action perpetuates racial and gender stereotypes, which can lead to further discrimination. Sowell (1994, p. 156) also argues that affirmative action creates a culture of dependency and entitlement, which can undermine individual initiative and achievement.

Shaw posited three arguments to represent the standpoints of those who kick against affirmative action thus:

1. Affirmative Action injures White Men and Violates Their Rights

Shaw argues that affirmative action policies unfairly disadvantage white men, violating their rights and perpetuating reverse discrimination. He presents a logical order to illustrate this point: "Affirmative action policies give preferential treatment to certain groups, including racial minorities and women. This

preferential treatment comes at the expense of white men, who are denied opportunities and face discrimination"(Shaw, 1991, p.301)..

Therefore, affirmative action policies violate the rights of white men and perpetuate inequality.

2. Affirmative Action Violates the Principle of Equality: Shaw contends that affirmative action policies undermine the principle of equality, which is essential for a just society. He argues: "Affirmative action policies treat individuals differently based on their race, gender, or ethnicity, rather than their merit or qualifications. This differential treatment violates the principle of equality, which demands that individuals be treated equally regardless of their race, gender, or ethnicity" (Shaw, p.301). Therefore, affirmative action policies are inherently discriminatory and violate the principle of equality.

3. Non-Discrimination Will Achieve Our Social Goals; Stronger Affirmative Action Is Unnecessary. Shaw asserts that non-discrimination policies are sufficient to achieve social goals, making affirmative action unnecessary. He argues: "Non-discrimination policies ensure equal opportunities for all individuals, regardless of their race, gender, or ethnicity. Stronger affirmative action policies are unnecessary, as they perpetuate discrimination and violate the principle of equality"(Shaw, 1991). Therefore, non-discrimination policies are a more effective and just way to achieve social goals.

The Doctrine of Comparable Worth and the Controversy Over It.

In his analysis of this doctrine, Shaw explains with a case study in the opening paragraph that "In 1983 Louise Peterson was a licensed practical nurse at Western State Hospital in Tacoma, Washington. The years she received \$1,462 a month for supervising the daily care of sixty men convicted of sex crimes was \$192 a month less than the hospital's grounds-keepers earned and \$700 a month less than men doing similar jobs to hers at Washington state prison....Peterson filed a suit claiming that she and other women were being discriminated against because men of similar skills and training...were being paid significantly more...." (Shaw, 1991, p.302). The Doctrine of Comparable Worth is a concept in ethics that suggests that individuals should receive equal pay for work of equal value, regardless of their gender, race, or other characteristics. This doctrine is often used to address issues of pay discrimination and promote fairness in the workplace and emerged in the 1970s as a response to pay discrimination against women and minorities.

In Shaw's Business Ethics, he discusses the controversy surrounding the Doctrine of Comparable Worth. For him Critics argue that the doctrine is difficult to implement, as it is challenging to determine what constitutes "work of equal value." Others, he alluded argue that the doctrine could lead to unfair outcomes, such as overpaying or underpaying certain individuals based on subjective determinations of worth. Shaw also did not fail to acknowledge the positive side of the divide where proponents argue that the doctrine is necessary to address systemic pay discrimination and promote fairness in the workplace. Shaw also discusses the legal implications of the doctrine, including court cases and legislation related to pay as we explore a summary of such below Judged Cases:

1. AFSCME v. Washington State (1983): The court ruled in favor of a female hospital worker, finding that the state's pay system discriminated against women. The ruling established comparable worth as a legal principle. 2. Gunther v. County of Washington (1981): The court ruled that a female corrections officer was entitled to equal pay with male colleagues performing similar work. 3. County of Washington v. Gunther (1985): The Supreme Court affirmed the lower court's decision, establishing that employers must consider the value of work when setting pay.

Cases against Comparable Worth:

1. EEOC v. Sears, Roebuck & Co. (1986): The court rejected comparable worth claims, ruling that market rates rather than job evaluation studies should determine pay .2. American Federation of State, County, and Municipal Employees v. State of Vermont (1987): The court found that Vermont's pay system did not violate equal pay laws, as it was based on market rates rather than comparable worth.

Sexual Harassment in Employment And Its Moral Implications

The moral implications of sexual harassment in employment are profound and far-reaching. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature that creates an intimidating, hostile, or offensive work environment. This definition encompasses two primary forms of sexual harassment: quid pro quo harassment, which conditions employment benefits on sexual favors, and hostile work environment harassment, which creates an intimidating or offensive work environment.

The legal framework surrounding sexual harassment is rooted in Title VII of the Civil Rights Act of 1964, which prohibits sexual harassment in employment. Landmark Supreme Court decisions, such as Meritor Savings Bank v. Vinson (1986), have established that sexual harassment constitutes a form of sex discrimination. Despite these legal protections, sexual harassment persists in the workplace, perpetuating gender-based discrimination and stereotypes.

The moral wrongness of sexual harassment lies in its violation of individual autonomy and dignity. By subjecting individuals to unwelcome sexual advances or creating a hostile work environment, sexual harassment denies individuals respect and reduces them to mere objects. This violation of respect is compounded by the perpetuation of gender-based discrimination, which undermines trust and respect in the workplace. Furthermore, sexual harassment fails to prioritize the well-being and safety of employees, creating a toxic work environment that can have long-lasting effects on individuals and organizations.

In Shaw's Business Ethics, the author emphasizes the importance of addressing sexual highlightingharassment in the workplace, the need for organizations to prioritize respect, justice, and care. By linking sexual harassment to broader ethical principles, Shaw's analysis provides a comprehensive framework for understanding the moral implications of sexual harassment in employment. Through this analysis, we can better comprehend the ways in which sexual harassment undermines individual dignity, perpetuates discrimination, and violates ethical principles.

Shaw's Business Ethics emphasizes that sexual harassment is a violation of human dignity, stating: "Sexual harassment is a profound violation of a person's autonomy, dignity, and privacy" (Shaw, 1991, p. 303). Furthermore, Shaw argues that sexual harassment perpetuates harmful gender stereotypes, noting: "Sexual harassment is often rooted in sexist attitudes and stereotypes that view women as objects for male gratification" (Shaw, 1991 p. 303).

Moreover, Shaw highlights the impact of sexual harassment on individuals and organizations, stating: "Sexual harassment can create a toxic work environment, undermine trust and respect among colleagues, and lead to significant legal and financial consequences for organizations" (Shaw, 1991). Shaw also emphasizes the importance of organizational responsibility in preventing sexual harassment, noting: "Organizations have a moral and legal obligation to prevent sexual harassment and ensure a safe and respectful work environment for all employees" (Shaw, 1991, p. 304). By incorporating these quotations from Shaw's Business Ethics, we can further underscore the moral implications of sexual harassment in employment and the need for organizations to prioritize ethical principles and respect for human dignity. Sexual harassment can take various forms, including: a.Quid pro quo harassment, which involves conditioning employment benefits on sexual favors and b.Hostile work environment harassment, which creates an intimidating or offensive work environment. Regarding the legal framework, Shaw's Business

Ethics states: "Title VII of the Civil Rights Act of 1964 prohibits sexual harassment in employment, and the Supreme Court has established that sexual harassment is a form of sex discrimination" (Shaw, 1991, p. 305). Additionally, Shaw notes: "The law recognizes two types of sexual harassment: quid pro quo harassment and hostile work environment harassment. Employers are liable for both types of harassment" (Shaw, 1991).

Evaluation and Conclusion

Critical Evaluation:

Shaw's work on discrimination has significantly impacted society in employment, offering valuable insights into the moral implications of discrimination. However, there are several areas where his work can be critiqued and improved upon. Limited scope; Shaw's work primarily focuses on individual-level discrimination, overlooking structural and institutional barriers that perpetuate discrimination; lack of intersectionality: Shaw's analysis does not adequately address the experiences of individuals with multiple marginalized identities (e.g., race, gender, sexuality); overemphasis on moral arguments: While Shaw's moral arguments against discrimination are compelling, his work could benefit from more nuanced discussions of power dynamics and systemic inequality; limited engagement with contemporary issues: Shaw's work does not fully address modern forms of discrimination, such as algorithmic bias and online harassment.

Despite these limitations, Shaw's work has made significant contributions to the academic field and society such as: arising awareness about discrimination: Shaw's work has helped raise awareness about the persistence of discrimination in employment and its moral implications. Informing policy and practice: Shaw's research has informed policy and practice initiatives aimed at addressing discrimination in employment. Advancing ethical scholarship: Shaw's work has contributed to the development of ethical scholarship in the field of employment and discrimination: by providing a foundation for future research, Shaw's work has laid the groundwork for future research on discrimination, encouraging scholars to explore new avenues of inquiry.

By acknowledging both the strengths and limitations of Shaw's work, we can build upon his contributions and advance our understanding of discrimination in employment.

Conclusion

In conclusion, job discrimination in the workplace is a multifaceted issue that requires a critical evaluation of ethical perspectives, statistical and attitudinal evidence, historical and legal context, and moral arguments. Shaw's work provides a valuable foundation for understanding the moral implications of discrimination, but it is crucial to consider the limitations and complexities of the issue. By examining the doctrine of comparable worth, the controversy surrounding it, and the moral implications of sexual harassment, we can gain a deeper understanding of the ethical dimensions of job discrimination. Ultimately, this research highlights the need for ongoing critical evaluation and ethical consideration in addressing job discrimination in the workplace.

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