UNIT II STUDY GUIDE
Issues and Conflicts Surrounding the Workforce

Learning Objectives

Upon completion of this unit, students should be able to:

1. Analyze an issue that has an impact on organizational productivity and effectiveness.
2. Compare and contrast the provisions associated with Equal Employment Opportunity (EEO) and Affirmative Action, and analyze the potential impact of the American with Disabilities Act (ADA) on emergency services workforce.
3. Create an environment for the prevention of sexual harassment and discrimination.
4. Analyze the impact of various legislation and case law on employment decision issues.
5. Determine the necessary elements of developing a personnel policy to provide guidance for the organization.

Unit Lesson

This unit will provide the necessary elements that are needed as a leader to meet the issues of the workplace environment, as well as legal issues that may arise from unattended consequences. What are those workplace issues that you are faced with in today’s workplace? What are those legal issues that are unique to the fire service?

Society is ever changing and this change brings diversity. Diversity is not something to be afraid of, but should be embraced to gain a well-rounded organization. This has been an issue for years, and organizations have spent countless hours in defining their role through dealing with diversity. The word diversity raises discussions and questions organization’s policy. We live in an age where diversity is more prevalent than ever before because of immigration, education, age, and the ability to work.

Workplace diversity is the norm of business today. Diversity has a lot of meanings; it means different individuals, backgrounds, and even value beliefs. Having a diverse group of people promotes stronger leadership and is essential for the organization (Kerfoot, 2004). This is very apparent for the four functions of management. Having diversity strengthens planning, organizing, leading, and controlling. It also provides acceptance in the workplace. Sudhoff and Griffin (2004) state that diversity creates recruitment opportunities and organizational stability, while providing a positive workplace environment for effectiveness.

Through the planning process, diversity provides a different perspective requiring us to look outside the comfort zone. Furthermore, Wilson (2004) states that a successful management program with diversity establishes support and builds inclusions in the workplace. Condrey (1998) agrees that diversity provides
for unique contributions and is instrumental for organizational success. Condrey (1998) further believes that the greater the diversity, the greater continuum of ideas.

Diversity plays an important role in organizing the organization. Through diversity we establish the needs of others to provide the proper tools required to carry out the tasks of the organization. We are required to find common ground for all individuals within the organization, while capitalizing on the insights of those individuals to promote organizational stability (Condrey, 1998).

It is the responsibility of the leadership to welcome diversity to become proactive in changing a cultural that has become complacent. Through the enhancements of diversity, the organization is strengthened to promote the mission of the organization. These strengths only solidify trust and respect for differences (Condrey, 1998). Leaders that embrace diversity only establish their willingness to improve the organization through decision making, productivity, and morale (Condrey, 1998).

Diversity is abstract in controlling because no matter what control mechanisms are in place, someone is bound to feel that they were established for them. With some, many different value systems and origin controls tend to be looked at as punishment. We should not look at these as punishments, but look at them for what they are, safety measures that every individual has the right to feel safe at work. To have a safe working environment, control measure must be in place to ensure it. These are not placed into policy for punishment, but for the well-being of the individuals of the organization.

Diversity is the buzz word of today and through leadership it can be embraced to promote success within the organization. It is not acceptable to remain the same and expect to be successful, but we must strive for success through diversity to promote growth both individually and organizationally. Wilson (2004) states there is a relationship between equality and capital, just as there is a relationship between human equality and human capital.

The alternative dispute resolution (ADR) is frequently used when resolving personnel issues within the fire service. The ADR method has been found to be the most beneficial tool to maintain morale within the organization and best practice in resolving issues. In the area of personnel, we frequently use ADR to resolve issues and create policy to eliminate assumptions and communication breakdowns when dealing with the members of the organization.

The use of ADR is a very valuable tool to mitigate solutions for an organization. This tool allows us to address issues that can be easily solved to prevent organizational impact and complete the mission that is tasked. The benefit of ADR strengthens the organization to provide a framework of positive feedback and strong working relationships. It is these relationships that provide organizational success.

The responsibility for any business is to conduct themselves using practices that are ethical and without discrimination. In today's changing environment it is equally important to have a strong human resources department (HR) to ensure that employee rights are being met and that the employee feels safe at the workplace. Diversity in the workplace is common today since most businesses have reached global proportions. Organizations must provide reasonable accommodations to their employees while trying to remain competitive in the marketplace.
Equal Employment Opportunity Commission (EEOC, 2000) states that:

Under the federal statute of Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion, sex or national origin; the Age Discrimination in Employment Act; the Equal Pay Act; Title I of the Americans with Disabilities Act, which prohibits employment discrimination against people with disabilities in the private sector and state and local governments; prohibitions against discrimination affecting individuals with disabilities in the federal government; and sections of the Civil Rights Act of 1991. Para. 8.

This makes it illegal for employers to discriminate against anyone based on National Origin.

Employers do not have the right to discriminate against anyone based on their national origin. Title VII has provided the necessary avenues for individuals that feel that they have been discriminated against based on their national origin to insure that mistreatment does not prevent gainful employment.

Organizations need to make reasonable accommodations with individuals with disabilities. Since some disabilities include drugs, employers must provide accommodations to assist those individuals with drug related issues. The best way for employers to satisfy this requirement is to have written policies that identify the required procedures needed based on the EEOC requirements, and particular state requirements that may be more stringent than the federal regulations. Employers have an obligation to provide reasonable accommodation for employees with challenges such as sensory, mental health, and physical challenges, unless the employer can validate that the accommodation would impose an undue hardship on the employer’s ability to conduct business (Bennett-Alexander & Hartman, 2004).

In addition, organizations need to not advertise employment openings with phrases that create possible discrimination. These phrases immediately send messages that can offend possible qualified applicants, and because of these phrases they may be reluctant to apply.

Ethical responsibility is the responsibility of the company (Cheeseman, 2004). Society demands that companies today provide more than just products to the consumer, they must provide social benefits to the community. Palys and Lowman (1999) believe that it is the organization’s responsibility to act ethically, keeping a short distance from the company in providing ethical decisions to provide quality work. Ethics are clearly defined by the company to the employees. If managers act in an unethical way, so will the employees. This is demonstrated by the lack of discipline. If the supervisor neglects to act on a behavior that is not accepted by society, it will just continue to manifest itself into a larger problem until it causes problems in organization. Companies need to provide a clear and concise vision on the acceptable behavior. The fact remains that individuals acting irresponsibly outside the vision will only damage the creditability of that organization. The ethics demise has been clearly demonstrated by several companies in the recent past. These compromises have stimulated speculation that business does not feel that society as a whole should be respected, therefore allowing for non-trust issues to be exasperated and providing for an anti-business sentiment. In order for businesses to be responsible today, they must remember to act in a manner in the way they want to be treated (Cheeseman, 2004). Acting in a responsible manner only embarks on a strong business practice.
Ethical and discrimination issues are a growing concern for HR personnel in today's business applications because of diversity in the workplace. It is important that managers act responsible in their duties to protect and provide reasonable accommodations to employees. Managers must also make the realization that we do not live in a perfect world and accommodating every employee is just not obtainable. Managers need to take the initiative with employer support to become educated in modern business practices of today to provide a well-rounded and responsible atmosphere to work in. Employees of today are more educated and are not so willing to work the same as in the past without being educated on why they are doing it. Every employee has the right to have a safe working environment and know the employer is looking out for their best interest. Organizations also have the responsibility to act in the best interest of society providing the protection of the environment and acting in a socially accepted manner in which they operate in.

Today's climate has changed to provide quality of life to society, not just the interests of the organization. Everyone from the employer to the employee has the accountability to act in an ethical manner to maintain social balance to promote growth and eliminate poor business practices. As we continue to change in the way we conduct business and life in general, everyone has the responsibility to act ethical.

References


Supplemental Reading

For this Supplemental Reading, go to the CSU Online Library and research some of their publications on workplace issues today and legal issues facing the
fire service. Browsing publications by subject is one of the easier ways to find articles. This will help you in your formulation for your research paper.

For this Supplemental Reading, go to the U.S. Fire Administration’s website at http://www.usfa.fema.gov and research some of their publications on the fire service. Browsing publications by subject is one of the easier ways to find articles. For the most part, you don’t need a username or password to access the materials on the website.

Another great resource is the National Fire Protection Association’s (NFPA) website at http://www.nfpa.org. Research their news and publications section and find articles relating to personnel management in the fire service; especially in relation to the concepts discussed in this unit.