Chapter 3  Equal Employment Opportunity, Affirmative Action, and Workforce Diversity

1) Legislation (federal, state, and local), Supreme Court decisions, and executive orders require both public and private organizations to tap the abilities of a workforce that was largely underused before the mid-1960s.
Answer: TRUE
Explanation: Legislation (federal, state, and local), Supreme Court decisions, and executive orders require both public and private organizations to tap the abilities of a workforce that was largely underused before the mid-1960s. The concept of equal employment opportunity has undergone much modification and fine-tuning since the passage of the Equal Pay Act of 1963, the Civil Rights Act of 1964, and the Age Discrimination in Employment Act of 1967.
Difficulty: Easy
Skill: Critical thinking
AACSB: Diverse and multicultural work environments
Learning Obj.: 1

2) Although equal employment opportunity has come a long way since the early 1960s, continuing efforts are required because some problems still exist.
Answer: TRUE
Explanation: Although equal employment opportunity has come a long way since the early 1960s, continuing efforts are required because some problems still exist. Although perfection is elusive, the majority of businesses today do attempt to make employment decisions based on who is the best qualified, as opposed to whether an individual is of a certain gender, race, religion, color, national origin, or age or is disabled.
Difficulty: Easy
3) Which federal legislation is based on the Thirteenth Amendment to the U.S. Constitution?
A) Equal Pay Act of 1963
B) Civil Rights Act of 1866
C) Rehabilitation Act of 1973
D) Age Discrimination Act of 1967
Answer: B
Explanation: B) The oldest federal legislation affecting staffing is the Civil Rights Act of 1866, which is based on the Thirteenth Amendment to the U.S. Constitution. Specifically, this Act provides that all citizens have the same right "as enjoyed by white citizens... to inherit, purchase... hold, and convey... property, [and that] all persons... shall have the same right to make and enforce contracts... as enjoyed by white citizens."
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

4) On which amendment to the U.S. Constitution was civil rights established?
A) Thirteenth Amendment
B) First Amendment
C) Fifth Amendment
D) Fourteenth Amendment
Answer: A
Explanation: A) The oldest federal legislation affecting staffing is the Civil Rights Act of 1866, which is based on the Thirteenth Amendment to the U.S. Constitution. The Thirteenth Amendment abolished slavery in the United States and provides that "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." The Civil Rights Act of 1866 granted citizenship and the same rights enjoyed by white citizens to all male persons in the United States "without distinction of race or color, or previous condition of slavery or involuntary servitude." Subsequently, the Fourteenth Amendment to the U.S. Constitution was enacted to ensure that the Civil Rights Act passed in 1866 would remain valid ensuring that "all persons born in the United States...excluding Indians not taxed..." were citizens and were to be given "full and equal benefit of all laws." The First Amendment protects the right to freedom of speech, and the Fifth Amendment requires that an individual is innocent of a crime until proven guilty.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
5) _______ describes one of the notable exceptions to discrimination as covered by Title VII.
A) Gender in female-dominated jobs
B) Bona fide occupational qualification (BFOQ)
C) Age of females when age is unrelated to job performance
D) all of the above
Answer: B
Explanation: B) Three notable exceptions to discrimination as covered by Title VII are bona fide occupational qualifications (BFOQs), seniority and merit systems, and testing and educational requirements. According to the act it is not an unlawful employment practice for an employer to hire and employ employees on the basis of his religion, sex, or national origin in those certain instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business or enterprise. For example, religious institutions, such as churches or synagogues, may legally refuse to hire teachers whose religious conviction is different from that of the hiring institution. The second exception to discrimination under Title VII is a bona fide seniority system such as the type normally contained in a union contract. Differences in employment conditions among workers are permitted, provided that such differences are not the result of an intention to discriminate because of race, color, religion, sex, or national origin. Third, in the matter of testing and educational requirements, Title VII states that it is not "an unlawful employment practice for an employer to give, and to act upon, the results of any professionally developed ability test provided that such test, its administration, or action upon the results is not designed, intended or used to discriminate because of race, color, religion, sex, or national origin." The common element among the three exceptions is that employment-related decisions are job-based rather than on protected differences such as age.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

6) Which act prohibits an employer from paying an employee of one gender less money than an employee of the opposite gender where the jobs require equal skills, effort, and responsibility and are performed under similar working conditions?
A) Walsh-Healey Act
B) Davis-Bacon Act
C) Fair Labor Standards Act
D) Equal Pay Act
Answer: D
Explanation: D) Passed as an amendment to the Fair Labor Standards Act, the Equal Pay Act of 1963 (EPA) prohibits an employer from paying an employee of one gender less money than an employee of the opposite gender, if both employees do work that is substantially the same. The Act was passed largely to overcome the outdated belief that a man should be paid more in society than a woman and covers work within the same physical place of business.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
7) The Equal Pay Act permits pay distinctions to be made based on certain factors. Which of the following is NOT one of those factors?
A) gender
B) merit system
C) seniority system
D) production quality
Answer: A
Explanation: A) Passed as an amendment to the Fair Labor Standards Act, the Equal Pay Act of 1963 (EPA) prohibits an employer from paying an employee of one gender less money than an employee of the opposite gender, if both employees do work that is substantially the same. Pay differences are allowable based on merit, seniority, and production quality.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

8) What Supreme Court case ruled that discrimination charges must be filed within 180 days of the allegedly discriminatory pay decision?
A) Ledbetter v Goodyear Tire & Rubber Co., Inc.
B) Espinoza v Farah Manufacturing Company
C) Weber v Kaiser Aluminum Corporation
D) Albemarle Paper Company v Moody
Answer: A
Explanation: A) In the 2007 Supreme Court case of Ledbetter v Goodyear Tire & Rubber Co., Inc., the Court said that discrimination charges must be filed within 180 days after the allegedly discriminatory pay decision. Lilly Ledbetter had worked for Goodyear for many years but she did not realize until she was close to retirement that she was being discriminated against because of pay. Since she did not file a discrimination charge within 180 day of her employment, the Supreme Court ruled against her.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
 Learning Obj.: 2
9) The Equal Employment Opportunity Commission (EEOC) possesses the authority to ________.
A) investigate and reconcile whether a claim of discrimination should be brought to a federal judge
B) notify legal authorities of illegal discrimination
C) investigate and reconcile charges of illegal discrimination
D) prove illegal discrimination in a court of law
Answer: C
Explanation: C) The EEOC possesses the authority to investigate and reconcile charges of illegal discrimination. Title VII protects employees who work for all private sector employers; local, state, and federal governments; and educational institutions that employ 15 or more individuals. Title VII also applies to private and public employment agencies, labor organizations, and joint labor management committees controlling apprenticeship and training.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

10) According to Title VII of the Civil Rights Act of 1964, employers may not discriminate based on ________.
A) age
B) religion
C) disability
D) pregnancy
Answer: B
Explanation: B) Under Title VII, it is illegal for an employer to discriminate in hiring, firing, promoting, compensating, or in terms, conditions, or privileges of employment on the basis of race, color, sex, religion, or national origin. Other laws address discrimination based on age, disability, and pregnancy.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
11) You are an HR manager with a large manufacturing firm. Yesterday, you heard one of your recruiters ask an applicant the following question: "What is your religion?" Would this be an employment standard to avoid? If this is an employment standard to avoid, what law or court decision is it based upon?
A) No, it is an acceptable question.
B) Yes, Phillips v Martin Marietta Corporation
C) Yes, Griggs v Duke Power Company
D) Yes, Civil Rights Act of 1964
Answer: D
Explanation: D) Under Title VII, it is illegal for an employer to discriminate in hiring, firing, promoting, compensating, or in terms, conditions, or privileges of employment on the basis of race, color, sex, religion, or national origin.
Difficulty: Challenging
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 2

12) Title VII of the Civil Rights Act applies to employers with ________ or more employees.
A) 15
B) 25
C) 50
D) 75
Answer: A
Explanation: A) Title VII covers employers engaged in or affecting interstate commerce who have 15 or more employees for each working day in each of 20 calendar weeks in the current or preceding calendar year. Also included in the definition of employers are state and local governments, schools, colleges, unions, and private employment agencies that procure employees for an employer with 15 or more employees.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
13) The burden of proving the necessity for a BFOQ rests entirely on the ________.
A) OFCCP
B) EEOC
C) employer
D) employee
Answer: C
Explanation: According to Title VII, it is not unlawful to hire and employ employees on the basis of their religion, sex, or national origin in those instances where religion, sex, or national origin is a bona fide occupational qualification reasonably necessary to the normal operation of the particular business or enterprise. The burden of proving the necessity for a BFOQ rests entirely on the employer.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

14) Which of the following agencies is responsible for enforcing Title VII?
A) Bureau of Labor Statistics
B) Department of Justice
C) EEOC
D) OFCCP
Answer: C
Explanation: The Civil Rights Act of 1964 also created the Equal Employment Opportunity Commission (EEOC) and assigned enforcement of Title VII to this agency. Consisting of five members appointed by the president, the EEOC is empowered to investigate, conciliate, and litigate charges of discrimination arising under provisions of Title VII.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

15) What is the most significant regulation issued by EEOC?
A) Federal Guidelines on Discrimination
B) Uniform Guidelines on Employee Selection Procedures
C) Adverse Impact Selection Guidelines and Procedures
D) Universal Guidelines on Selection and Discrimination
Answer: B
Explanation: The EEOC is empowered to investigate, conciliate, and litigate charges of discrimination arising under provisions of Title VII. In addition, the commission has the responsibility of issuing procedural regulations and interpretations of Title VII and the other statutes it enforces. The most significant regulation issued by EEOC is the Uniform Guidelines on Employee Selection Procedures.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
16) You are a human resource manager with a large manufacturing firm. Yesterday you heard one of your recruiters ask an applicant the following question: "How old are you?" Would this be an employment standard to avoid? If this is an employment standard to avoid, what law or court decision is it based on?
A) No, it is an acceptable question.
B) Yes, Age Discrimination in Employment Act
C) Yes, Civil Rights Act of 1991
D) Yes, American with Disabilities Act
Answer: B
Explanation: B) The Age Discrimination in Employment Act (ADEA) prohibits employers from discriminating against individuals who are age 40 or older. Questions asked about an applicant's age or date of birth may be ill-advised. However, a firm may ask for age information to comply with the child labor law. For example, the question could be asked, "Are you under the age of 18?"
Difficulty: Challenging
Skill: Application
AACSB: Analytical thinking
Learning Obj.: 2

17) The Age Discrimination Act is administered by the ________.
A) Department of Justice
B) Department of Labor
C) EEOC
D) OFCCP
Answer: C
Explanation: C) The EEOC is responsible for administering the ADEA. The Act pertains to employers who have 20 or more employees for 20 or more calendar weeks (either in the current or preceding calendar year); unions with 25 or more members; employment agencies; and federal, state, and local government subunits.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
18) The Age Discrimination Act differs from Title VII of the Civil Rights Act in that it ________.
A) provides for a trial by jury
B) does not cover exempt employees
C) is administered by the EEOC
D) does not pertain to employment agencies
Answer: A
Explanation: A) The Age Discrimination in Employment Act differs from Title VII of the Civil Rights Act in providing for a trial by jury and carrying a possible criminal penalty for violation of the Act. The trial-by-jury provision is important because juries are thought to have great sympathy for older people who may have been discriminated against.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

19) Which of the following is NOT true about the Age Discrimination in Employment Act?
A) provides for a trial by jury
B) applies to anyone age 40 or older
C) carries a criminal penalty provision
D) applies to firms with at least 10 employees
Answer: D
Explanation: D) The Act pertains to employers who have at least 20 employees but not 10. The ADEA provides for a trial by jury and carries a possible criminal penalty for violation. The law prohibits employer discrimination against anyone age 40 or older.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

20) Tom is a pilot for Southwest Airlines. According to court rulings, at what age must Tom retire from his job as a commercial pilot?
A) 55
B) 60
C) 65
D) 70
Answer: C
Explanation: C) Courts have continued to rule that the Federal Aviation Administration adequately explained its longstanding rule that it can force commercial pilots to retire at age 60. The age 60 rule was first imposed in 1959 and was long controversial. However, in 2007, the retirement age for commercial pilots was raised to 65.
Difficulty: Moderate
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 2
21) Anita is applying for a job with Greyhound Bus to work as an intercity bus driver. According to a 1974 court ruling regarding Greyhound, Anita must be age ________ or younger.
   A) 35
   B) 45
   C) 55
   D) 65
   Answer:  A
   Explanation: A) In a 1974 Seventh Circuit Court decision, the court ruled that Greyhound did not violate the ADEA when it refused to hire persons 35 years of age or older as intercity bus drivers because the likelihood of risk or harm to its passengers was involved. Greyhound presented evidence concerning degenerative physical and sensory changes that humans undergo at about age 35 that have a detrimental effect on driving skills, and that the changes are not detectable by physical tests.
   Difficulty: Moderate
   Skill: Application
   AACSB: Application of knowledge
   Learning Obj.: 2

22) Kayla, who has dyslexia, is employed by a non-profit organization that has received a $90,000 federal grant. Which law most likely protects Kayla against employer discrimination?
   A) Uniformed Services Employment Act of 1994
   B) Civil Rights Act of 1991
   C) Age Discrimination in Employment Act of 1967
   D) Rehabilitation Act of 1973
   Answer: D
   Explanation: D) The Rehabilitation Act prohibits discrimination against disabled workers who are employed by certain government contractors and subcontractors and organizations that receive federal grants in excess of $2,500. Protected under the Act are diseases and conditions such as epilepsy, cancer, cardiovascular disorders, AIDS, blindness, deafness, mental retardation, emotional disorders, and dyslexia.
   Difficulty: Moderate
   Skill: Application
   AACSB: Application of knowledge
   Learning Obj.: 2
23) Under the Rehabilitation Act, if the contract or subcontract exceeds ________, or if the contractor has ________ or more employees, a written affirmative action program must be prepared.
A) $25,000; 25
B) $50,000; 50
C) $100,000; 100
D) $250,000; 250
Answer:  B
Explanation:  B) If the contract or subcontract exceeds $50,000, or if the contractor has 50 or more employees, the employer must prepare a written affirmative action plan for review by the Office of Federal Contract Compliance Programs (OFCCP), which administers the Act. In it, the contractor must specify that reasonable steps are being taken to hire and promote disabled persons.
Difficulty:  Challenging
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  2

24) The Rehabilitation Act is administered by the ________.
A) Department of Labor
B) Department of Justice
C) Equal Employment Opportunity Commission
D) Office of Federal Contract Compliance Programs
Answer:  D
Explanation:  D) The Office of Federal Contract Compliance Programs (OFCCP) administers the Rehabilitation Act. The EEOC administers many other employee discrimination laws, such as the ADA and ADEA.
Difficulty:  Easy
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  2
25) Holly, an IT specialist at a bank, is eight months pregnant and experiencing some medical complications. As a result, Holly's doctor has ordered Holly to remain home on bed rest for the last month of her pregnancy. According to the Pregnancy Discrimination Act, Holly is entitled to receive _______.
A) disability benefits
B) flexible benefits
C) scheduling options
D) early retirement
Answer: A
Explanation: A) Under the Pregnancy Discrimination Act, a woman unable to work for pregnancy-related reasons is entitled to disability benefits or sick leave on the same basis as employees unable to work for other medical reasons.
Difficulty: Moderate
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 2

26) Which law establishes criminal and civil sanctions against employers who hire an individual knowing he or she is an unauthorized alien?
A) Illegal Immigration Reform and Immigrant Responsibility Act
B) Immigration Reform and Control Act
C) Homeland Security Act
D) Rehabilitation Act
Answer: B
Explanation: B) The desire to stem illegal immigration prompted Congress to enact the Immigration Reform and Control Act (IRCA) of 1986. The IRCA granted amnesty to approximately 1.7 million long-term unauthorized workers in an effort to bring them out of the shadows and improve their labor market opportunities. It also established criminal and civil sanctions against employers who knowingly hire unauthorized aliens.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
27) All of the following are provisions of the Immigration Reform and Control Act of 1986 EXCEPT ________. 
A) employers that hire illegal aliens could face criminal charges 
B) illegal aliens denied employment visas for at least 180 days 
C) illegal aliens denied federally funded welfare benefits 
D) employment eligibility must be verified 
Answer:  B
Explanation:  B) The IRCA established criminal and civil sanctions against employers who knowingly hire unauthorized aliens. The Act also makes unlawful the hiring of anyone unless the person's employment authorization and identity are verified. The IRCA denied illegal aliens federally funded welfare benefits.
Difficulty:  Challenging
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  2

28) In the Uniformed Services Employment and Reemployment Rights Act (USERRA), the ________ ensures that a returning employee is not penalized for the time spent on active duty.
A) disparate treatment principle 
B) adverse impact principle 
C) equal protection principle 
D) escalator principle 
Answer:  D
Explanation:  D) Known as the *escalator principle*, this requirement is designed to ensure that a returning employee is not penalized (by losing a pay raise, promotion, etc.) for the time spent on active duty, not exceeding five years. In order to accomplish this, organizations should track factors ranging from compensation to promotions that employees would have received had they not been on military leave. There are no special rights under USERRA for temporary workers or the new hires taking over the Reserve or National Guard members' jobs. Disparate treatment and adverse impact are forms of discrimination associated with Equal Employment Opportunity laws. Equal protection is a principle of the Fourteenth Amendment of the U.S. Constitution.
Difficulty:  Moderate
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  2
29) In 2008, the Americans with Disabilities Act Amendments Act ________.
A) excluded millions of people from the ADA's protection
B) narrowed the ADA's definition of "disability"
C) left the ADA's definition of "disability" unchanged
D) brought millions more people within the ADA's protection
Answer: D
Explanation: D) The Americans with Disabilities Act Amendments Act (ADAAA) brings millions more people within the ADA's protection. The ADAAA expands the definition of "disability," so that many more applicants and employees are eligible for reasonable accommodations. The ADAAA broadened the ADA’s definition of disability by expanding the term "major life activities."
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

30) Title I of the Genetic Information Nondiscrimination Act (GINA) makes it unlawful to determine employee eligibility for participation in a company's ________.
A) training programs
B) group health plan
C) incentive pay system
D) all of the above
Answer: B
Explanation: B) Title I of GINA applies to employer-sponsored group health plans. This title generally prohibits discrimination in group premiums based on genetic information and the use of genetic information as a basis for determining eligibility or setting health insurance premiums. Title I also places limitations on genetic testing and the collection of genetic information. Title II of GINA prohibits the use of genetic information in the employment setting for making employment decisions such as hiring decisions, compensation, training, and termination. GINA further restricts the deliberate acquisition of genetic information by employers and others covered by Title II, and strictly limits disclosing genetic information.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
31) The Americans with Disabilities Act prohibits discrimination during ________.
A) recruitment and selection only
B) layoffs and leaves only
C) hiring and firing only
D) all employment practices
Answer: D
Explanation: D) The Americans with Disabilities Act (ADA) prohibits discrimination against qualified individuals with disabilities. The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoffs, leaves, benefits, and all other employment-related activities.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

32) Which law amended the Civil Rights Act of 1964 and provided appropriate remedies for intentional discrimination in the workplace?
A) Age Discrimination in Employment Act of 1967
B) Americans with Disabilities Act of 1990
C) Rehabilitation Act of 1973
D) Civil Rights Act of 1991
Answer: D
Explanation: D) The Civil Rights Act of 1991 amended five statutes: (1) the Civil Rights Act of 1866; (2) Title VII of the Civil Rights Act of 1964, as Amended; (3) the Age Discrimination in Employment Act of 1967, as Amended; (4) the Rehabilitation Act of 1973; and (5) the Americans with Disabilities Act of 1990. The Civil Rights Act of 1991 provides appropriate remedies for intentional discrimination and unlawful harassment in the workplace.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

33) Which act codified the concepts of business necessity and job related?
A) Immigration Act of 1990
B) Americans with Disabilities Act of 1990
C) Civil Rights Act of 1978
D) Civil Rights Act of 1991
Answer: D
Explanation: D) The Civil Rights Act of 1991 served to codify the concepts of business necessity and job-related pronounced by the Supreme Court in Griggs v Duke Power Co.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
34) Hannigan Lumber employs 155 workers. One of the firm's former employees used the Civil Rights Act of 1991 to file and win a discrimination lawsuit against Hannigan Lumber. What is the maximum amount of punitive damages that the former employee could receive?
A) $50,000  
B) $100,000  
C) $200,000  
D) $300,000  
Answer: B  
Explanation: B) Under the Civil Rights Act of 1991, a complaining party may recover punitive damages if the complaining party demonstrates that the company engaged in a discriminatory practice with malice or with reckless indifference to the law. However, the following limits, based on the number of people employed by the company, were placed on the amount of the award:

- Between 15 and 100 employees--$50,000
- Between 101 and 200 employees--$100,000
- Between 201 and 500 employees--$200,000
- More than 500 employees--$300,000

Difficulty: Moderate  
Skill: Application  
AACSB: Application of knowledge  
Learning Obj.: 2

35) The primary purpose of the Uniformed Services Employment and Reemployment Rights Act is to _______.
A) protect the jobs of National Guard members and Reservists  
B) ensure that sufficient benefits are provided to war veterans  
C) provide government jobs to National Guard members  
D) help Reservists find new jobs after military service  
Answer: A  
Explanation: A) The Uniformed Services Employment and Reemployment Rights Act (USERRA) provides protection to Reservists and National Guard members. Under this Act, those workers are entitled to return to their civilian employment after completing their military service.

Difficulty: Challenging  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 2
36) The ________ is a requirement designed to ensure that a soldier who is a returning employee is not penalized for the time spent on active duty.
A) protection principle
B) universal principle
C) escalator principle
D) temporary principle
Answer: C
Explanation: C) As a general rule, a returning employee is entitled to reemployment in the same job position that he or she would have attained with reasonable certainty if not for the absence to serve in the military. Known as the escalator principle, this requirement is designed to ensure that a returning employee is not penalized (by losing a pay raise, promotion, etc.) for the time spent on active duty, not exceeding five years.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

37) The Veterans Opportunity to Work Act (VOW) of 2011 makes it ________.
A) more likely that returning veterans would have to take a cut in pay when they return to their jobs
B) harder for veterans to return to their civilian employment after completing their military service
C) easier for employees who are veterans to pursue hostile work environment claims against employers
D) harder for employees who are veterans to pursue hostile work environment claims against employers
Answer: C
Explanation: C) The Veterans Opportunity to Work (VOW) Act passed in 2011 amended the Uniformed Services Employment and Reemployment Rights Act. It is now easier for employees to sue employers based on hostile work environment claims related to an employee's military status.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
38) When EEOC regulations conflict with state or local civil rights regulations, which will be followed?
A) federal laws
B) state laws
C) local laws
D) the law that favors women and minorities
Answer: D
Explanation: D) Numerous state and local laws also affect equal employment opportunity. A number of states and some cities have passed fair employment practice laws prohibiting discrimination on the basis of race, color, religion, gender, or national origin. When EEOC regulations conflict with state or local civil rights regulations, the legislation more favorable to women and minorities applies.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

39) All private employers who are subject to the ________ as amended with 100 employees or more must annually submit an EEO-1 report.
A) Civil Rights Act of 1964
B) Fair Labor Standards Act
C) Office of Federal Contract Compliance Programs
D) Executive Order 1115
Answer: A
Explanation: A) All private employers who are subject to the Civil Rights Act of 1964 as amended with 100 employees or more must annually submit an EEO-1 report.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
40) Lisa believes she has been discriminated against by her employer and intends to file charges with the EEOC. Lisa must file the discrimination charges within ________ days of the alleged act; however, the time is extended to ________ days if a state or local agency becomes involved in the case.
A) 50; 100
B) 100; 200
C) 150; 300
D) 180; 300
Answer: D
Explanation: D) Charges may be filed by one of the presidentially appointed EEOC commissioners, by any aggrieved person, or by anyone acting on behalf of an aggrieved person. Charges must be filed within 180 days of the alleged act; however, the time is extended to 300 days if a state or local agency is involved in the case.
Difficulty: Moderate
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 2

41) Denise, an accounts manager for a restaurant chain, has filed a discrimination charge with the EEOC. What is the most likely next step in the EEOC process?
A) EEOC conducts an investigation.
B) EEOC attempts a no-fault settlement.
C) EEOC recommends proceeding with litigation.
D) EEOC attempts to reach a conciliation between the parties.
Answer: B
Explanation: B) When a charge is filed, the EEOC first attempts a no-fault settlement. Essentially, the organization charged with the violation is invited to settle the case with no admission of guilt. Most charges are settled at this stage. Failing settlement, the EEOC investigates the charges, attempts conciliation, and makes recommendations about litigation.
Difficulty: Challenging
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 2

42) The United States Department of Labor (USDL) ensures that employers doing business with the federal government comply with nondiscrimination and affirmative action laws.
Answer: FALSE
Explanation: The Office of Contract Compliance Programs (OFCCP) is responsible for ensuring that employers doing business with the federal government comply with the laws and regulations requiring nondiscrimination and affirmative action.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
43) The Age Discrimination in Employment Act of 1967 prohibited employers from discriminating against individuals who were 40 to 50 years old.
Answer: FALSE
Explanation: As originally enacted, the Age Discrimination in Employment Act (ADEA) prohibited employers from discriminating against individuals who were 40 to 65 years old. The 1978 amendment provided protection for individuals who were at least 40, but less than 70 years old. In a 1986 amendment, employer discrimination against anyone age 40 or older is illegal.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

44) The 1974 Seventh Circuit Court ruled that Greyhound did not violate the ADEA when it refused to hire persons 35 years of age or older as intercity bus drivers.
Answer: TRUE
Explanation: The 1974 Seventh Circuit Court ruled that Greyhound did not violate the ADEA when it refused to hire persons 35 years of age or older as intercity bus drivers. Again, the likelihood of risk or harm to its passengers was involved. Greyhound presented evidence concerning degenerative physical and sensory changes that humans undergo at about age 35 that have a detrimental effect on driving skills, and that the changes are not detectable by physical tests.
Difficulty: Moderate
Skill: Critical thinking
AACSB: Application of knowledge
Learning Obj.: 2

45) The Rehabilitation Act prohibits discrimination against disabled workers who are employed by certain government contractors and subcontractors and organizations that receive federal grants in excess of $100,000.
Answer: FALSE
Explanation: The Rehabilitation Act prohibits discrimination against disabled workers who are employed by certain government contractors and subcontractors and organizations that receive federal grants in excess of $2,500. Individuals are considered disabled if they have a physical or mental impairment that substantially limits one or more major life activities or if they have a record of such impairment.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
Answer: FALSE
Explanation: The Office of Federal Contract Compliance Programs (OFCCP) administers the Rehabilitation Act. The Rehabilitation Act prohibits discrimination against disabled workers who are employed by certain government contractors and subcontractors and organizations that receive federal grants in excess of $2,500.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

47) The Pregnancy Discrimination Act prohibits discrimination in employment based on pregnancy, childbirth, or related medical conditions.
Answer: TRUE
Explanation: Passed as an amendment to Title VII of the Civil Rights Act, the Pregnancy Discrimination Act prohibits discrimination in employment based on pregnancy, childbirth, or related medical conditions. Questions regarding a woman's family and childbearing plans should not be asked.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

48) The 1986 Immigration Reform and Control Act (IRCA) established criminal and civil sanctions against employers who knowingly hire unauthorized aliens.
Answer: TRUE
Explanation: The desire to stem illegal immigration prompted Congress to enact the Immigration Reform and Control Act (IRCA) of 1986. The IRCA established criminal and civil sanctions against employers who knowingly hire unauthorized aliens. The Act also makes unlawful the hiring of anyone unless the person's employment authorization and identity are verified.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2

49) The Americans with Disabilities Act Amendments Act of 2008 limits the definition of "disability," so that fewer applicants and employees are eligible for reasonable accommodations.
Answer: FALSE
Explanation: The Americans with Disabilities Act Amendments Act of 2008 expands the definition of "disability," so that more applicants and employees are eligible for reasonable accommodations.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 2
50) What is the purpose of the EEOC? What is the relationship between Title VII and the EEOC?
Answer: Title VII of the Civil Rights Act created the Equal Employment Opportunity Commission (EEOC) and assigned enforcement of Title VII to this agency. Consisting of five members appointed by the president, the EEOC is empowered to investigate, conciliate, and litigate charges of discrimination arising under provisions of Title VII. In addition, the commission has the responsibility of issuing procedural regulations and interpretations of Title VII and the other statutes it enforces. Under Title VII, filing a discrimination charge initiates EEOC action. Charges may be filed by one of the presidentially appointed EEOC commissioners, by any aggrieved person, or by anyone acting on behalf of an aggrieved person.
Difficulty: Challenging
Skill: Synthesis
AACSB: Analytical thinking
Learning Obj.: 2, 4

51) The most common complaint brought to the Equal Employment Opportunity Commission (EEOC) are charges of discrimination based on ________.
A) sex
B) age
C) race
D) disability
Answer: C
Explanation: C) The EEOC continually receives complaints. According to the EEOC, employees filed 99,412 workplace discrimination charges in 2012. The most common claims focused on discrimination on the basis of race (33.7 percent), sex (30.5 percent) and age (23.0 percent). In 2012, the EEOC obtained approximately $365.4 million in monetary relief for thousands of discrimination victims as well as significant nonmonetary remedies from employers.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 3
52) Which two groups have the primary responsibility to ensure equal employment opportunity?
A) government agencies (Department of Labor and EEOC) and employees
B) government agencies (Department of Labor and OFCCP) and employers
C) government agencies (EEOC and OFCCP) and employees
D) government agencies (EEOC and OFCCP) and employers
Answer: D
Explanation: D) The main groups that take responsibility for establishing and supporting equal employment opportunity includes the government (Equal Opportunity Commission and Office of Federal Contract Compliance Programs) and employers. Employees do play a role by understanding behaviors that may violate EEO laws, but the employer has the primary duty to educate employees. The Department of Labor administers some employment-related laws, but not laws that fall under the EEO domain.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 3

53) After the EEOC has completed its investigation, what will it issue?
A) a substantial fine to the employer if probable cause is found
B) a probable cause or a no probable cause statement
C) a mandate to file a discrimination claim in a court of law if probable cause is found
D) a mandate that the employer provide training to managers and supervisors to prevent illegal employment discrimination
Answer: B
Explanation: B) After the EEOC has completed its investigation, it will issue a probable cause or a no probable cause statement.
Difficulty: Moderate
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 3
54) In the event that the EEOC issues a probable cause statement in response to a claim of employment discrimination, the next step involves ________.
A) requiring that the employer provide affected employee(s) with a monetary award
B) a review for litigation potential
C) attempted conciliation
D) fining the employer
Answer: C
Explanation: C) In the event of a probable cause statement, the next step involves attempted conciliation. In the event this effort fails, the case will be reviewed for litigation potential. Some of the factors that determine whether the EEOC will pursue litigation are (1) the number of people affected by the alleged practice; (2) the amount of money involved in the charge; (3) other charges against the employer; and (4) the type of charge. Recommendations for litigation are then passed on to the general counsel of the EEOC. If the recommendation is against litigation, a right-to-sue notice will be issued to the charging party.
Difficulty: Challenging
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 3

55) Most EEOC charges are settled through a no-fault settlement.
Answer: TRUE
Explanation: When a charge is filed, the EEOC first attempts a no-fault settlement. Essentially, the organization charged with the violation is invited to settle the case with no admission of guilt. Most charges are settled at this stage. Failing settlement, the EEOC investigates the charges.
Difficulty: Moderate
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 3
56) Which Supreme Court decision upheld that the company discriminated against two white workers who filed a claim of discrimination because they were terminated, but not a black employee, who was also accused of misappropriating company property?
A) Phillips v Martin Marietta Corporation
B) McDonald v Santa Fe Trail Transportation Company
C) Espinoza v Farah Manufacturing Company
D) Weber v Kaiser Aluminum and Chemical Corporation
Answer: B
Explanation: B) McDonald v Santa Fe Trail Transportation Company offers an example of disparate treatment. Three of the company's employees, two whites and one black, had allegedly misappropriated 60 gallons of antifreeze. Santa Fe took disciplinary action against the workers by terminating the two whites, but not the black employee. The discharged white workers filed suit against the company, charging that their termination violated both Title VII and the Civil Rights Act of 1866. The Supreme Court agreed with the plaintiffs that they had been the recipients of unequal treatment on the basis of their race.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4

57) Adverse impact is said to occur if women and minorities are not hired at the rate of at least _________ of the best-achieving group.
A) 90 percent
B) 51 percent
C) 80 percent
D) 30 percent
Answer: C
Explanation: C) Adverse impact, a concept established by the Uniform Guidelines, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group. Under the Uniform Guidelines, adverse impact has been described in terms of selection rates, the selection rate being the number of qualified applicants hired or promoted, divided by the total number of qualified applicants. This has also been called the four-fifths rule, which is actually a guideline subject to interpretation by the EEOC.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4
58) Assuming that adverse impact is shown, what are the two avenues available to employers if they still desire to use a particular selection standard?
A) validation of a selection test, establishing a bona fide occupational qualification (BFOQ)
B) validation of a selection test, establishing that the employer did not intend to illegally discriminate against employees
C) validation of a selection test, establishing business necessity
D) none of the above
Answer: A
Explanation: A) Assuming that adverse impact is shown, employers have two avenues available to them if they still desire to use a particular selection standard. First, the employer may validate a selection device by showing that it is indeed a predictor of success. For instance, the employer may be able to show a strong relationship between the selection device and job performance, and that if it did not use this procedure, the firm's training costs would become prohibitive. If the device has proved to be a predictor of job performance, business necessity has been established. The second avenue available to employers should adverse impact be shown is the bona fide occupational qualification (BFOQ) defense. The BFOQ defense means that only one group is capable of performing the job successfully.
Difficulty: Challenging
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 4

59) The *Uniform Guidelines* adopted a ________ approach in assessing whether a firm's employment practices are discriminatory.
A) process fairness
B) bottom-line
C) distributive fairness
D) compensatory
Answer: B
Explanation: B) The *Uniform Guidelines* adopted the bottom-line approach in assessing whether a firm's employment practices are discriminatory. For example, if a number of separate procedures are used in making a selection decision, the enforcement agencies will focus on the end result of these procedures to determine whether adverse impact has occurred. Essentially, the EEOC is more concerned with what is occurring than how it occurs. It admits that discriminatory employment practices that cannot be validated may exist; however, the net effect, or the bottom line, of the selection procedures is the focus of the EEOC attention.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4
60) According to the *Uniform Guidelines*, any instrument or procedure used in the selection decision is considered a(n) ________.
A) disparate tool
B) appraisal
C) necessity
D) test
Answer: D
Explanation: D) According to the Uniform Guidelines, selection procedures include the full range of assessment techniques from traditional paper-and-pencil tests, performance tests, testing programs or probationary periods, and physical, education, and work experience requirement through informal or casual interviews and unscored application forms. Using this definition, virtually any instrument or procedure used in the selection decision is considered a test.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4

61) As an HR manager, which of the following would most likely help you make legal employment decisions?
A) NACElink Network
B) Job Analysis Software
C) Uniform Guidelines
D) Shared Service Center
Answer: C
Explanation: C) The *Uniform Guidelines* provide a single set of principles that were designed to assist employers in complying with federal prohibitions against employment practices that discriminate on the basis of race, color, religion, sex, and national origin. The *Uniform Guidelines* provide a framework for making legal employment decisions about hiring, promotion, demotion, referral, retention, licensing and certification, the proper use of tests, and other selection procedures.
Difficulty: Easy
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 4
62) What term means that an employer treats some people less favorably than others because of race, religion, sex, national origin, or age?
A) adverse impact  
B) disparate treatment  
C) overt discrimination  
D) unintentional discrimination  
Answer: B  
Explanation: B) Disparate treatment means that an employer treats some employees less favorably than others because of race, religion, color, sex, national origin, or age. Adverse impact occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.  
Difficulty: Easy  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 4

63) Prior to the issuance of the Uniform Guidelines, the only way to prove job relatedness was through ________.  
A) test validation  
B) adverse impact  
C) four-fifths rule  
D) court litigation  
Answer: A  
Explanation: A) Prior to the issuance of the Uniform Guidelines, the only way to prove job-relatedness was to validate each test. The Uniform Guidelines do not require validation in all cases but when the selection device produces an adverse impact on a minority group. Adverse impact, a concept established by the Uniform Guidelines, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.  
Difficulty: Moderate  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 4
64) According to the *Uniform Guidelines*, test validation is essential only when selection devices produce ________.
A) adverse impact  
B) systemic discrimination  
C) racial discrimination  
D) disparate treatment
Answer: A
Explanation: A) The *Uniform Guidelines* do not require validation in all cases but when the selection device produces an adverse impact on a minority group. Adverse impact, a concept established by the *Uniform Guidelines*, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4

65) Which of the following occurs if women and minorities are not hired at the rate of at least 80% of the best achieving group of applicants?
A) disparate treatment  
B) negligent hiring  
C) geocentric staffing  
D) adverse impact
Answer: D
Explanation: D) Adverse impact, a concept established by the *Uniform Guidelines*, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group. Disparate treatment means that an employer treats some employees less favorably than others because of race, religion, color, sex, national origin, or age.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4

66) Adverse impact is determined through application of ________.
A) affirmative action programs  
B) the four-fifths rule  
C) previous court decisions  
D) EO 11246.
Answer: B
Explanation: B) Under the *Uniform Guidelines*, adverse impact has been described in terms of selection rates, the selection rate being the number of qualified applicants hired or promoted, divided by the total number of qualified applicants. This has also been called the four-fifths rule, which is actually a guideline subject to interpretation by the EEOC.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4
67) During 2010, 400 people were hired for a particular job. Of the total, 300 were white and 100 were black. There were 1,500 applicants for these jobs, of whom 1,000 were white and 500 were black. Compute for adverse impact. Does adverse impact exist?
A) .76, Yes
B) .85, No
C) .66, Yes
D) .89, No
Answer:  C
Explanation:  C) The success rate for the least-achieving group (often women and minority applicants) is determined by dividing the number of members of a specific group employed in a period by the number of qualified applicants in a period. The success rate of best-achieving group applicants is determined by dividing the number of people in the best-achieving group employed by the number of the best-achieving group applicants in a period. Using this formula, blacks were determined to be the least-achieving group because 100/500 = .2. Whites were determined to be the best-achieving group because 300/100 = .3. Using the adverse formula, you have: .2/.3 = 66.67%. Therefore, adverse impact exists.
Difficulty:  Challenging
Skill:  Critical thinking
AACSB:  Reflective thinking
Learning Obj.:  4

68) Elway Tire Company is a large manufacturing firm based in Texas. The highly diverse workforce at Elway requires the HR managers to ensure that all employment practices comply with local, state, and federal laws. Elway is expanding its operations and has recently hired 400 new technicians, of whom 300 were white and 100 were Hispanic. There were 1,500 qualified applicants for the jobs, of whom 1,000 were white and 500 were Hispanic. The HR manager needs to determine if adverse impact exists. Which of the following is a true statement given the facts provided?
A) Whites and Hispanics were determined to be equally achieving.
B) Whites were determined to be adversely impacted in hiring.
C) Hispanics were determined to be the least-achieving group.
D) Hispanics were determined to be the best-achieving group.
Answer:  C
Explanation:  C) The success rate for the least-achieving group is determined by dividing the number of members of a specific group employed in a period by the number of qualified applicants in a period. In this case, Hispanics were the least-achieving group because 100/500 = .2. The success rate of best-achieving group applicants is determined by dividing the number of people in the best-achieving group employed by the number of the best-achieving group applicants in a period. In this case, whites were the best-achieving group because 300/1,000 = .3.
Difficulty:  Challenging
Skill:  Critical thinking
AACSB:  Reflective thinking
Learning Obj.:  4
69) Elway Tire Company is a large manufacturing firm based in Texas. The highly diverse workforce at Elway requires the HR managers to ensure that all employment practices comply with local, state, and federal laws. Elway is expanding its operations and has recently hired 400 new technicians, of whom 300 were white and 100 were Hispanic. There were 1,500 qualified applicants for the jobs, of whom 1,000 were white and 500 were Hispanic. The HR manager needs to determine if adverse impact exists. Which of the following is a true statement given the facts provided?
A) Both adverse impact and disparate treatment exist.
B) Adverse impact cannot be determined.
C) Adverse impact does not exist.
D) Adverse impact exists.
Answer: D
Explanation: D) Adverse impact is determined by dividing the success rate for the least-achieving group of applicants (100/500 = .2) by the success rate for the best-achieving group of applicants (300/1,000 = .3). Adverse impact exists because 0.2/0.3 = 66.67%. Adverse impact occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.
Difficulty: Challenging
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 4

70) The Uniform Guidelines provide a single set of principles to assist employers in complying with federal prohibitions against discriminatory employment practices.
Answer: TRUE
Explanation: The Uniform Guidelines provide a single set of principles that were designed to assist employers, labor organizations, employment agencies, and licensing and certification boards in complying with federal prohibitions against employment practices that discriminate on the basis of race, color, religion, sex, and national origin. The Uniform Guidelines provide a framework for making legal employment decisions about hiring, promotion, demotion, referral, retention, licensing and certification, the proper use of tests, and other selection procedures.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4

71) Adverse impact occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.
Answer: TRUE
Explanation: Adverse impact, a concept established by the Uniform Guidelines, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 4
72) How can age be a BFOQ? Provide specific examples in your answer.
Answer: Age can actually be a bona fide occupational qualification when it is reasonably necessary to the essence of the business, and the employer has a rational or factual basis for believing that all, or substantially all, people within an age class would not be able to perform satisfactorily. Courts have continued to rule that the Federal Aviation Administration adequately explained its longstanding rule that it can force commercial pilots to retire at age 60. However, in 2007, the retirement age for commercial pilots was raised to 65. The courts also supported the decision that Greyhound did not violate the ADEA when it refused to hire persons 35 years of age or older as intercity bus drivers. Again, the likelihood of risk or harm to its passengers was involved. Greyhound presented evidence concerning degenerative physical and sensory changes that humans undergo at about age 35 that have a detrimental effect on driving skills, and that the changes are not detectable by physical tests.
Difficulty: Challenging
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 4

73) In a brief essay, explain the concepts of disparate treatment and adverse impact.
Answer: Unlawful employment discrimination, as established through various Supreme Court decisions, can be divided into two broad categories: adverse impact and disparate treatment. Disparate treatment means that an employer treats some employees less favorably than others because of race, religion, color, sex, national origin, or age. It is the most easily understood form of discrimination. For example, males are treated differently from females; whites are treated differently from blacks. The crux of disparate treatment is different treatment on the basis of some nonallowable criterion. Prior to the issuance of the Uniform Guidelines, the only way to prove job-relatedness was to validate each test. The Uniform Guidelines do not require validation in all cases. Essentially, it is required only in instances in which the test or other selection device produces an adverse impact on a minority group. Adverse impact, a concept established by the Uniform Guidelines, occurs if women and minorities are not hired at the rate of at least 80 percent of the best-achieving group. Under the Uniform Guidelines, adverse impact has been described in terms of selection rates, the selection rate being the number of qualified applicants hired or promoted, divided by the total number of qualified applicants.
Difficulty: Challenging
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 4
74) In 1998, President Bill Clinton included ________ as a protected class in government executive orders.
A) ethnicity  
B) disabilities  
C) sexual orientation  
D) religion  
Answer:  C  
Explanation:  C) President Bill Clinton amended Executive Order 11478 with Executive Order 13087, which adds sexual orientation to the list of protected classes.  
Difficulty:  Easy  
Skill:  Concept  
AACSB:  Diverse and multicultural work environments  
Learning Obj.:  5

75) President Bill Clinton amended Executive Order 11478 by adding ________ to the list of protected classes. 
A) age  
B) sexual orientation  
C) disabilities  
D) genetic predisposition for disabilities  
Answer:  B  
Explanation:  B) President Richard M. Nixon issued Executive Order 11478 in 1969. It covers the federal civilian workforce. This executive order prohibits discrimination in employment on the basis of race, color, religion, sex, national origin, handicap, and age. And, it requires all federal government departments and agencies to take affirmative steps to promote employment opportunities for those classes it covered. In 1998, President Bill Clinton amended Executive Order 11478 with Executive Order 13087, which adds sexual orientation to the list of protected classes.  
Difficulty:  Moderate  
Skill:  Application  
AACSB:  Application of knowledge  
Learning Obj.:  5
76) Executive Order 11478 is most like which of the following laws?
A) Title II of the Americans with Disabilities Act
B) Title VII of the Civil Rights Act of 1964
C) Title VII of the Civil Rights Act of 1991
D) Title I of the Genetic Information Nondiscrimination Act
Answer: B
Explanation: B) President Richard M. Nixon issued Executive Order 11478 in 1969. It covers the federal civilian workforce. This executive order prohibits discrimination in employment on the basis of race, color, religion, sex, national origin, handicap, and age. And, it requires all federal government departments and agencies to take affirmative steps to promote employment opportunities for those classes it covered.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5

77) The Office of Federal Contract Compliance Programs (OFCCP) is very specific about what should be included in a(n) ________.
A) affirmative action plan
B) non discrimination statement
C) hiring plan
D) OFCCP report on selection tests
Answer: A
Explanation: A) The OFCCP is very specific about what should be included in an affirmative action plan (AAP). A policy statement has to be developed that reflects the CEO's attitude regarding equal employment opportunity, assigns overall responsibility for preparing and implementing the AAP, and provides for reporting and monitoring procedures. The policy should state that the firm intends to recruit, hire, train, and promote persons in all job titles without regard to race, color, religion, gender, or national origin, except where gender is a bona fide occupational qualification (BFOQ). Recently protected military veterans and individuals with disabilities have been included in affirmative action. The policy should guarantee that all human resource actions involving areas such as compensation, benefits, transfers, layoffs, return from layoffs, company-sponsored training, education, tuition assistance, and social and recreational programs will be administered without regard to race, color, religion, gender, or national origin.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5
78) Which term refers to a directive issued by the president that has the effect of a Congressional law?
A) presidential citation
B) executive order
C) executive mandate
D) administrative directive
Answer: B
Explanation: B) An executive order (EO) is a directive issued by the president and has the force and effect of a law enacted by Congress as it applies to federal agencies and federal contractors. Many believe that the concept of affirmative action got its beginning in 1948 when President Harry S. Truman officially ended racial segregation in all branches of the military by issuing Executive Order 9981.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5

79) Which Executive Order amended EO 11246 and changed the word creed to religion and added sex discrimination to the other prohibited items?
A) EO 11838
B) EO 10988
C) EO 11375
D) EO 11102
Answer: C
Explanation: C) In 1968, EO 11375, which changed the word "creed" to "religion" and added sex discrimination to the other prohibited items, amended EO 11246. These EOs are enforced by the Department of Labor through the Office of Federal Contract Compliance Programs (OFCCP).
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5
80) Affirmative action programs involve hiring women or minorities ________.
A) in equal numbers
B) according to local and state quotas
C) according to existing Executive Orders
D) in proportion to their representation in the relevant labor market
Answer: D
Explanation: D) An affirmative action program is an approach developed by organizations with government contracts to demonstrate that workers are employed in proportion to their representation in the firm's relevant labor market. An affirmative action program may be voluntarily implemented by an organization. In such an event, goals are established and action is taken to hire and move minorities and women up in the organization.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5

81) Federal laws require firms to implement affirmative action programs, which are monitored by the EEOC.
Answer: FALSE
Explanation: An affirmative action program may be voluntarily implemented by an organization. In such an event, goals are established and action is taken to hire and move minorities and women up in the organization. In other situations, an AAP may be mandated by the OFCCP.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5

82) One or more jobs that have similar content, wage rates, and opportunities is known as a job group.
Answer: TRUE
Explanation: A job group is defined as one or more jobs having similar content, wage rates, and opportunities. Job groups are important when assessing AAPs.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 5
83) France considers a hostile environment as the only basis for sexual harassment claims.
Answer: FALSE
Explanation: France considers quid pro quo as the only form of sexual harassment claims. The country does not recognize claims of a sexually hostile work environment. However, France considers the request for sexual favors for a job or promotion to be a criminal matter with the possibility of prison.
Difficulty: Easy
Skill: Critical thinking
AACSB: Diverse and multicultural work environments
Learning Obj.: 5

84) What is the difference between diversity management and affirmative action?
Answer: Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by melding these actual and perceived differences among workers to achieve maximum productivity. Diversity management is about pursuing an inclusive culture in which newcomers feel welcome, and everyone sees the value of his or her job. An affirmative action program (AAP) is an approach developed by organizations with government contracts to demonstrate that workers are employed in proportion to their representation in the firm's relevant labor market.
Difficulty: Challenging
Skill: Synthesis
AACSB: Analytical thinking
Learning Obj.: 5, 9

85) Which case established that firms may not require pre-employment medical examinations before making hiring decisions?
A) Noe v Delta Airlines
B) Premeaux v Continental Airlines
C) Leonel v American Airlines
D) Phelps v Northwest Airlines
Answer: C
Explanation: C) The EEOC guidelines on pre-employment inquiries and tests regarding disabilities prohibit inquiries and medical examinations intended to gain information about applicants' disabilities before a conditional job offer. In the Supreme Court case of Leonel v American Airlines, the Court ruled that the airline violated the ADA's required sequence for pre-hire medical inquiries/examinations by making medical inquiries and requiring individuals to take medical examinations before completing and making its hiring decisions.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
86) You are a human resource manager with a large manufacturing firm. Yesterday, you heard one of your recruiters ask an applicant the following question: "What previous medical conditions have you experienced?" Would this be an employment standard to avoid? If this is an employment standard to avoid, what law or court decision is it based on?
A) No, *Weber v Kaiser Aluminum and Chemical Corporation*
B) Yes, Age Discrimination in Employment Act
C) Yes, Civil Rights Act of 1991
D) Yes, American with Disabilities Act
Answer:  D
Explanation:  D) The guiding principle of the ADA is to ask only about potential employees' ability to do the job, and not about their disabilities. Lawful inquiries include those regarding performance of specific functions or possession of training, while illegal inquiries include those that ask about previous medical conditions or extent of prior drug use.
Difficulty:  Challenging
Skill:  Application
AACSB:  Analytical thinking
Learning Obj.:  6

87) All of the following were changes that resulted from the ADAAA being enacted in 2008 EXCEPT ________.
A) expanding the definition of "disability"
B) eliminating the "substantially limited" requirement
C) minimizing protections for current illegal drug users
D) defining and expanding the term "major life activities"
Answer:  C
Explanation:  C) The ADA Amendments Act broadened the ADA's definition of disability by expanding the term "major life activities." The law also did away with the "substantially limited" requirement for those regarded as having a disability. The ADA does not protect current illegal drug users.
Difficulty:  Challenging
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  6

88) Quid pro quo represents a type of ________ discrimination.
A) age
B) sexual orientation
C) sex
D) disabilities
Answer:  C
Explanation:  C) There are two distinct types of sexual harassment: (1) where a hostile work environment is created, and (2) when there is a quid pro quo, for example, an offer of promotion or pay raise in exchange for sex.
Difficulty:  Moderate
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  6
89) What are the fundamental principles of the *Faragher v City of Boca Raton* and *Burlington Industries, Inc. v Ellerth* cases in the realm of sexual harassment?
A) employers are not liable for the acts of their supervisors, regardless of whether the employer is aware of the sexual harassment act
B) employers are totally liable for the acts of their supervisors only when the employer is aware of the sexual harassment act.
C) employers are liable for the acts of their supervisors, even if there was not intent to engage in sexual harassment
D) employers are totally liable for the acts of their supervisors, regardless of whether the employer is aware of the sexual harassment act.
Answer:  D
Explanation: D) Employers are totally liable for the acts of their supervisors, regardless of whether the employer is aware of the sexual harassment act. In *Faragher v City of Boca Raton* and *Burlington Industries, Inc. v Ellerth*, the Supreme Court held that an employer is strictly liable, meaning that it has absolutely no defense, when sexual harassment by a supervisor involves a tangible employment action. Courts expect employers to carefully train supervisors so they do not engage in any type of behavior that could be construed as sexual harassment. In addition, all employees should be trained so as to understand their rights and responsibilities.
Difficulty:  Challenging
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  6

90) What was the first sexual harassment case to reach the U.S. Supreme Court?
A) *Dothard v Rawlingson*
B) *Meritor Savings Bank v Vinson*
C) *Phillips v Martin Marietta*
D) *American Tobacco Company v Patterson*
Answer:  B
Explanation: B) The first sexual harassment case to reach the U.S. Supreme Court was the case of *Meritor Savings Bank v Vinson* in 1986. In the *Vinson* decision, the Supreme Court recognized for the first time that Title VII could be used for offensive-environment claims. According to the EEOC, specific actions that could create a hostile workplace include a pattern of threatening, intimidating, or hostile acts and remarks, negative sexual stereotyping, or the display of written or graphic materials considered degrading.
Difficulty:  Easy
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  6
91) In which Supreme Court decision was it held that same-sex sexual harassment may be unlawful under Title VII?
A) Oncale v Sundowner Offshore Services
B) Meritor Savings Bank v Vinson
C) Harris v Forklift Systems, Inc.
D) Miller v Bank of America
Answer: A
Explanation: A) The Supreme Court, in the case of Oncale v Sundowner Offshore Services, held that same-sex sexual harassment may be unlawful under Title VII. The Supreme Court decided that a plaintiff could make out a claim for sexual harassment as long as the harassing conduct was because of sex.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6

92) All of the following selection procedures are most likely discriminatory with regard to national origin EXCEPT denying employment based upon ________.
A) fluency in English
B) foreign training
C) foreign education
D) job knowledge
Answer: D
Explanation: D) Fluency in English requirements may be discriminatory, although firms may require employees to speak only in English if business necessity can be shown. Denying employment opportunities to an individual because of his or her foreign training or education, or practices that require an individual to be foreign trained or educated may be discriminatory. Denying applicants because they lack job knowledge is acceptable.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
93) Which term refers to discrimination against employees based on their obligations to care for family members?
A) elderly care discrimination
B) family care discrimination
C) caregiver discrimination
D) religious discrimination
Answer: C
Explanation: C) Caregiver or family responsibility discrimination is discrimination against employees based on their obligations to care for family members. The EEOC has issued a technical assistance document on how employers of workers with caregiving responsibilities can avoid violations of Title VII of the 1964 Civil Rights Act.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6

94) As an HR manager at a global electronics firm, you have employees who practice many different religions. As a result, you have a number of employees who are prohibited from working on certain days of the week. Which of the following would be the LEAST appropriate method for accommodating an employee's religious practices?
A) voluntary substitutes
B) flexible scheduling
C) vertical movements
D) changes in job assignments
Answer: C
Explanation: C) The Guidelines on Discrimination Because of Religion identify several means of accommodating religious practices that prohibit working on certain days. Some of the methods suggested included voluntary substitutes, flexible scheduling, lateral transfer, and change of job assignments. Promoting an employee would not necessarily solve the primary problem.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
95) Kelly, an HR manager, has a male employee whose religious practices do not permit him to pay union dues. Which of the following should Kelly most likely ask the employee to do instead of paying union dues?
A) work extra hours
B) give his personal days to a co-worker
C) donate an equivalent amount of money to a charity
D) give an equivalent amount of money to his church or synagogue
Answer: C
Explanation: C) The Guidelines on Discrimination Because of Religion identify several means of accommodating religious practices. Some collective bargaining agreements include a provision that each employee must join the union or pay the union a sum equivalent to dues. When an employee’s religious beliefs prevent compliance, the union should accommodate the employee by permitting that person to make an equivalent donation to a charitable organization.
Difficulty: Moderate
Skill: Application
AACSB: Reflective thinking
Learning Obj.: 6

96) Which executive order (EO) made it the policy of the government to provide equal opportunity in federal government for all qualified persons?
A) EO 11246
B) EO 10988
C) EO 11375
D) EO 11838
Answer: A
Explanation: A) EO 11246 establishes the policy of the U.S. government as providing equal opportunity in federal employment for all qualified people. It prohibits discrimination in employment because of race, creed, color, or national origin. The order also requires promoting the full realization of equal employment opportunity through a positive, continuing program in each executive department and agency.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
97) Which of the following was stipulated by Executive Order 11246?
A) affirmative action
B) uniform selection guidelines
C) equal employment opportunity
D) adverse impact and disparate treatment
Answer: A
Explanation: A) Affirmative action, stipulated by EO 11246, requires covered employers to take positive steps to ensure employment of applicants and treatment of employees during employment without regard to race, creed, color, or national origin.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6

98) National origin applies exclusively to individuals who came from, or whose forebears came from, a particular country.
Answer: FALSE
Explanation: National origin protection also covers (1) marriage or association with a person of a specific national origin; (2) membership in, or association with, an organization identified with, or seeking to promote the interests of national groups; (3) attendance at, or participation in, schools, churches, temples, or mosques generally used by persons of a national origin group; and (4) use of an individual's or spouse's name that is associated with a national origin group.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6

99) According to the Uniform Guidelines on Sexual Harassment, employers are only liable for the sexual harassment acts of their managers when they have knowledge of the sexual harassment taking place.
Answer: FALSE
Explanation: According to these guidelines, employers are totally liable for the acts of their supervisors, regardless of whether the employer is aware of the sexual harassment act. In Faragher v City of Boca Raton and Burlington Industries, Inc. v Ellerth, the Supreme Court held that an employer is strictly liable, meaning that it has absolutely no defense, when sexual harassment by a supervisor involves a tangible employment action.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
100) According to the Supreme Court's decision in *TWA v Hardison*, employers have an obligation to accommodate sincerely held religious practices.
Answer: TRUE
Explanation: According to the Supreme Court's decision in *TWA v Hardison*, employers have an obligation to accommodate sincerely held religious practices, as long as the requested accommodation does not create more than a minimum cost to the employer.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6

101) What is the purpose of the Uniform Guidelines on Employee Selection Procedures?
Answer: The *Uniform Guidelines* provide a single set of principles that were designed to assist employers, labor organizations, employment agencies, and licensing and certification boards in complying with federal prohibitions against employment practices that discriminate on the basis of race, color, religion, sex, and national origin. The *Uniform Guidelines* provide a framework for making legal employment decisions about hiring, promotion, demotion, referral, retention, licensing and certification, the proper use of tests, and other selection procedures.
Difficulty: Challenging
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 6
Describe caregiver discrimination. Explain why it is becoming more prevalent.

Answer: Caregiver (family responsibility) discrimination is discrimination against employees based on their obligations to care for family members. The EEOC has issued a technical assistance document on how employers of workers with caregiving responsibilities can avoid violations of Title VII of the 1964 Civil Rights Act and other fair employment laws and reduce the likelihood of discrimination complaints. According to the EEOC, the guidance is not binding on employers but rather offers best practices that go beyond federal nondiscrimination requirements. Federal law does not prohibit discrimination on the basis of "caregiver status" but rather it is concerned when workers with caregiving responsibilities are treated differently based on a characteristic that is protected by laws, such as gender, race, or association with an individual with a disability. Caregiver discrimination has become the new battleground in employment claims. Examples of possible caregiver discrimination violations include treating male caregivers more favorably than female caregivers; reassigning a woman to less desirable projects based on the assumption that, as a new mother, she will be less committed to her job; or lowering subjective evaluations of a female employee’s work performance after she becomes the primary caregiver of her grandchildren, despite the absence of an actual decline in work performance. In recent years, employees have begun filing more and more caregiver discrimination lawsuits. The challenge for employers is to develop the right mix of flexibility and fairness in work scheduling, leave policies, dependent-care assistance, and benefits. This will promote positive employee relations, recruit and retain a diverse and well-qualified workforce, address and resolve job-related issues, and defend against claims of unfair or unlawful conduct.

Difficulty: Challenging
Skill: Synthesis
AACSB: Reflective thinking
Learning Obj.: 6
103) Provide the EEOC's definition of sexual harassment. Based on this definition, explain whether employers are responsible for the acts of their supervisors.
Answer: EEOC Definition of Sexual Harassment: Unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature that occur under any of the following situations:
1. When submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment.
2. When submission to or rejection of such contact by an individual is used as the basis for employment decisions affecting such individual.
3. When such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.
According to these guidelines, employers are totally liable for the acts of their supervisors, regardless of whether the employer is aware of the sexual harassment act. In Faragher v. City of Boca Raton and Burlington Industries, Inc. v. Ellerth, the Supreme Court held that an employer is strictly liable, meaning that it has absolutely no defense, when sexual harassment by a supervisor involves a tangible employment action. Courts expect employers to carefully train supervisors so they do not engage in any type of behavior that could be construed as sexual harassment. In addition, all employees should be trained so as to understand their rights and responsibilities.
Difficulty: Challenging
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 6

104) Why is there potential for sexual harassment to occur when individuals from two different cultures interact?
A) some behaviors that violate cultural norms of one country may not be perceived as a problem in another culture
B) most men, regardless of cultural beliefs, are prone to engage in sexual harassment
C) sexual harassment is universal
D) none of the above
Answer: A
Explanation: A) When individuals from two different cultures interact, there is a potential for sexual harassment problems. For example, some behaviors that violate U.S. cultural norms may not be perceived as a problem in another culture. In many Mediterranean and Latin countries, physical contact and sensuality are a common part of socializing.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 7
105) What is one important reason why millions of working-age women continue to experience sexual harassment?
A) human nature
B) many countries do not have laws that prohibit sexual harassment
C) many countries with sexual harassment laws do not enforce them
D) age discrimination is a far more serious issue than sexual harassment
Answer: B
Explanation: B) The level of enforcement against workplace sexual harassment varies considerably from country to country. Although 117 countries outlaw sexual harassment in the workplace, 311 million working-age women continue to live and work in countries without this legal protection. In a recent study, 26 percent of the workers surveyed in India said they had been sexually harassed, whereas only 1 percent of Sweden's employees said that they had been sexually harassed. Chinese workers had the second highest rate of sexual harassment victimization (18 percent), followed by Saudi Arabia (16 percent).
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 7

106) When individuals from two different cultures interact, there is a potential for sexual harassment problems.
Answer: TRUE
Explanation: When individuals from two different cultures interact, there is a potential for sexual harassment problems. For example, some behaviors that violate U.S. cultural norms may not be perceived as a problem in another culture. In many Mediterranean and Latin countries, physical contact and sensuality are a common part of socializing.
Difficulty: Moderate
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 7

107) Sexual harassment is a universal phenomenon across cultures.
Answer: FALSE
Explanation: When individuals from two different cultures interact, there is a potential for sexual harassment problems. For example, some behaviors that violate U.S. cultural norms may not be perceived as a problem in another culture. In many Mediterranean and Latin countries, physical contact and sensuality are a common part of socializing.
Difficulty: Moderate
Skill: Critical thinking
AACSB: Reflective thinking
Learning Obj.: 7
108) In today's workplace, the definition of diversity is ________.  
A) focused on affirmative action  
B) constantly changing and expanding  
C) understood by everyone in the workplace  
D) all about equal employment opportunity  
Answer:  B  
Explanation:  B) Diversity is more than equal employment and affirmative action; the actual definition is constantly changing and expanding.  
Difficulty:  Challenging  
Skill:  Concept  
AACSB:  Diverse and multicultural work environments  
Learning Obj.:  8

109) What term refers to any perceived difference among people, such as age, profession, lifestyle, or position?  
A) diversity  
B) culture  
C) climate  
D) environment  
Answer:  A  
Explanation:  A) Diversity refers to any perceived difference among people: age, race, religion, functional specialty, profession, sexual orientation, geographic origin, lifestyle, tenure with the organization or position, and any other perceived difference. The challenge for managers in the future will be to recognize that people with characteristics that are common but are different from those in the mainstream, often think, act, learn, and communicate differently.  
Difficulty:  Easy  
Skill:  Concept  
AACSB:  Diverse and multicultural work environments  
Learning Obj.:  8
110) Why do some managers find the issue of diversity and diversity management to be challenging?
A) managing diversity is not required by law
B) there are few differences between equal employment opportunity and diversity
C) the definition of diversity is constantly changing
D) the laws governing the management of diversity are not well specified
Answer: C
Explanation: C) The challenge for managers is to recognize that people with characteristics that are common but are different from those in the mainstream, often think, act, learn, and communicate differently. Diversity is more than equal employment and affirmative action; the actual definition is constantly changing and expanding. Unlike Equal Employment Opportunity and Affirmative Action, promoting a diverse workforce is not required by law. Companies choose to embrace workforce diversity as a strategic choice. Capitalizing on a diverse workforce may be seen as contributing to a company's objectives such as profit, productivity, and morale. Diversity is inclusive, encompassing everyone in the workplace. Diversity management is aimed at creating a workplace in which every employee fits, feels accepted, has value, and contributes.
Difficulty: Challenging
Skill: Application
AACSB: Application of knowledge
Learning Obj.: 8

111) In today's workplace, diversity is primarily concerned with race and gender.
Answer: FALSE
Explanation: Twenty-five years ago, diversity was primarily concerned with race and gender. Today, the definition is quite different. Diversity refers to any perceived difference among people: age, race, religion, functional specialty, profession, sexual orientation, geographic origin, lifestyle, tenure with the organization or position, and any other perceived difference.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 8

112) According to ________, "Diversity is about our relatedness, our connectedness, our interactions, where the lines cross."
A) Barack Obama
B) Harris Sussman
C) R. Roosevelt Thomas, Jr.
D) Kathy Hannan
Answer: B
Explanation: B) In his book *The Future and the Work Ahead of Us*, Harris Sussman writes, "Diversity is about our relatedness, our connectedness, our interactions, where the lines cross.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9
113) According to diversity experts, diversity management requires employers to do all of the following EXCEPT ________.
A) develop patience
B) keep an open mind
C) maintain a quota system
D) cultivate cultural awareness
Answer: C
Explanation: C) Because every person, culture, and business situation is unique, there are no simple rules for managing diversity; but diversity experts say that employers need to develop patience, open-mindedness, acceptance, and cultural awareness.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9

114) In order to achieve diversity in the workplace, management must ________.
A) foster a culture that values individuals and their wide array of needs and contributions
B) walk a fine line between political correctness and protectionism
C) focus on laws, court decisions, and executive orders
D) cultivate the bureaucracy and preserve the status quo
Answer: A
Explanation: A) Achieving diversity is more than being politically correct; it is about fostering a culture that values individuals and their wide array of needs and contributions.
Difficulty: Moderate
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9

115) Which term refers to ensuring that factors are in place to encourage the continued development of a productive and diverse workforce by melding actual and perceived differences among workers?
A) EEOC management
B) affirmative management
C) diversity management
D) adverse impact management
Answer: C
Explanation: C) Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by melding these actual and perceived differences among workers to achieve maximum productivity.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9
116) Creating a supportive work environment in which all people can be effective is a characteristic of ________.
A) EEOC guidelines  
B) affirmative action  
C) diversity management  
D) adverse impact management  
Answer: C  
Explanation: C) Diversity management is about pursuing an inclusive culture in which newcomers feel welcome, and everyone sees the value of his or her job. It involves creating a supportive culture in which all employees can be effective. In creating this culture it is important that top management strongly support workplace diversity as a company goal and include diversity initiatives in their companies' business strategies.  
Difficulty: Easy  
Skill: Concept  
AACSB: Diverse and multicultural work environments  
Learning Obj.: 9

117) The terms "diversity management" and "equal employment opportunity" mean the same thing.
Answer: FALSE  
Explanation: Diversity management and equal employment opportunity are different. Equal employment opportunity focuses on laws, court decisions, and executive orders. Diversity management is about pursuing an inclusive corporate culture in which newcomers feel welcome, and everyone sees the value of his or her job.  
Difficulty: Moderate  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 9

118) The challenge for managers in the coming decades will be to recognize that people with common, but different characteristics from the mainstream, often think, act, learn, and communicate differently.
Answer: TRUE  
Explanation: The challenge for managers in the future will be to recognize that people with characteristics that are common but are different from those in the mainstream, often think, act, learn, and communicate differently. Because every person, culture, and business situation is unique, there are no simple rules for managing diversity, but diversity experts say that employers need to develop patience, open-mindedness, acceptance, and cultural awareness.  
Difficulty: Easy  
Skill: Concept  
AACSB: Diverse and multicultural work environments  
Learning Obj.: 9
119) Diversity management involves implementing EEOC rules to ensure that hiring discrimination does not occur.
Answer: FALSE
Explanation: Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by melding these actual and perceived differences among workers to achieve maximum productivity. Diversity management is about pursuing an inclusive culture in which newcomers feel welcome, not necessarily implementing EEOC rules.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9

120) Diversity management requires managers to ensure that factors are in place to encourage the continued development of a diverse workforce by melding any differences among workers in order to achieve maximum productivity.
Answer: TRUE
Explanation: Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by melding these actual and perceived differences among workers to achieve maximum productivity. Diversity management is about pursuing an inclusive culture in which newcomers feel welcome.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 9

121) Programs that highlight a firm's diversity management program can be used to help attract desirable recruits.
Answer: TRUE
Explanation: If an organization wants to remain competitive in the marketplace, diversity has to be a part of its strategic goals. Programs that highlight a firm's diversity management program can be used to help attract desirable recruits.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 9
122) What are the various components of a diverse workforce? What is diversity management? How can firms benefit from implementing diversity management programs?
Answer: Single parents, working mothers, dual-career families, older workers, disabled workers, immigrants, and workers of color are components that make up a diverse workforce. Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by melding these actual and perceived differences among workers to achieve maximum productivity. Promoting diversity can be a sound business strategy that leads to increased market share and a reputation as being a place people want to work.
Difficulty: Challenging
Skill: Synthesis
AACSB: Analytical thinking
Learning Obj.: 9, 10

123) President Obama decided that the 1996 Defense of Marriage Act that bars federal recognition of same sex marriages ________.
A) was constitutional
B) was immune from constitutional questions
C) was unconstitutional
D) was neutral from a constitutional point of view
Answer: C
Explanation: C) President Obama decided that the 1996 Defense of Marriage Act that bars federal recognition of same sex marriages was unconstitutional and told the Justice Department to stop defending the law in court, bringing harsh criticism from many congressional members.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

124) Polls in the U.S.A. show that the public is evenly divided on ________.
A) equal rights for gay people
B) same-sex marriage
C) advancement opportunities for gays in the workplace
D) overturning "don't ask, don't tell"
Answer: B
Explanation: B) Nearly 90 percent of Americans favor equality of opportunity in the workplace. But the public remains virtually evenly divided on same-sex marriage. To date, 17 states have legalized same-sex marriage. Twenty-one states have passed some form of nondiscrimination law protecting gay and lesbian workers from sexual-orientation bias
Difficulty: Moderate
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10
125) It is estimated that ________ of Fortune 500 firms ban discrimination on the basis of sexual orientation.
A) 50%
B) 86%
C) 36%
D) 25%
Answer:  B
Explanation:  B) An estimated 86 percent of Fortune 500 firms now ban discrimination on the basis of sexual orientation, up from 61 percent in 2002, and approximately 50 percent also ban discrimination against transsexuals, compared with 3 percent in 2002
Difficulty:  Moderate
Skill:  Concept
AACSB:  Analytical thinking
Learning Obj.:  10

126) Women-owned businesses account for nearly ________ of all enterprises in the market today.
A) one-quarter
B) one-half
C) one-third
D) two-thirds
Answer:  C
Explanation:  C) In 2010, for the first time ever, women made up the majority of the U.S. workforce. Women-owned businesses now account for nearly one-third of all enterprises in the market today. The American Express Open State of Women-Owned Businesses Report shows the number of women-owned firms from 1997 to 2011 increased by 50 percent
Difficulty:  Challenging
Skill:  Concept
AACSB:  Diverse and multicultural work environments
Learning Obj.:  10

127) Managers at Quick Communications have noticed that the firm frequently loses talented female employees after they have children. Which of the following would most likely help the firm retain these female employees?
A) offering job rotation opportunities
B) expanding healthcare benefits
C) offering flexible schedules
D) emphasizing diversity
Answer:  C
Explanation:  C) Quick Communications is losing talented employees in whom they have made substantial investments. Flextime, telecommuting, and job sharing have a major impact on retaining women in the workforce. Job rotation, benefits, and diversity are less likely to assist female workers with balancing family and career.
Difficulty:  Challenging
Skill:  Application
AACSB:  Diverse and multicultural work environments
Learning Obj.:  10
128) Tanya and Jack are married and have two children. Tanya works as a nurse at a local hospital, and Jack is an accountant. Which term best describes Tanya and Jack?
A) dual-career family  
B) multi-career couple  
C) baby boomer couple  
D) diverse family  
Answer: A  
Explanation: A) The increasing number of dual-career families, families in which both husband and wife have jobs and family responsibilities, presents both challenges and opportunities for organizations. The majority of children growing up today have both parents working outside the home.  
Difficulty: Moderate  
Skill: Application  
AACSB: Diverse and multicultural work environments  
Learning Obj.: 10

129) According to Professor Ella Bell, what term refers to the stress of coping with membership in two cultures simultaneously?
A) minority stress  
B) cultural stress  
C) role reversal  
D) bicultural stress  
Answer: D  
Explanation: D) Ella Bell, professor of organizational behavior at MIT, refers to dual membership in the dominant culture and an ethnic culture as biculturalism. In her study of African-American women, Bell identifies the stress of coping with membership in two cultures simultaneously as bicultural stress. She indicates that role conflict, competing roles from two cultures; and role overload, too many expectations to comfortably fulfill, are common characteristics of bicultural stress.  
Difficulty: Easy  
Skill: Concept  
AACSB: Diverse and multicultural work environments  
Learning Obj.: 10
A) 3 million workers 65 and over
B) 20 million workers 65 and over
C) 11 million workers 65 and over
D) 7 million workers 65 and over
Answer: C
Explanation: C) Many Boomers will resist retirement, some because they feel healthy enough to continue work and others because their retirement income was hit hard by the economy. The U.S. Bureau of Labor Statistics estimates that about 11 million workers 65 and older will be working in 2022, up from about 6 million today.
Difficulty: Challenging
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

131) When Walgreens opened a state-of-the-art distribution center in Windsor, Connecticut, the firm had a goal of filling at least one-third of all jobs with ________.
A) minority women
B) individuals with disabilities
C) workers over the age of 55
D) young workers with limited skills
Answer: B
Explanation: B) Walgreens recently opened its second state-of-the-art distribution center in Windsor, Connecticut, designed specifically to employ people with disabilities. Its goal is to fill at least one-third of the available jobs with individuals with disabilities.
Difficulty: Moderate
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

132) Which of the following is an example of an employer de-skilling a job to make it possible for lower-skilled workers to enter the workforce?
A) Burger King paying above the minimum wage
B) Walmart offering succession training programs
C) McDonald's using pictures on cash register keys
D) Target hiring seasonal employees at its warehouses
Answer: C
Explanation: C) More jobs can be de-skilled, making it possible for lower-skilled workers to do them. A well-known example of de-skilling is McDonald's use of pictures on its cash register keys.
Difficulty: Challenging
Skill: Application
AACSB: Diverse and multicultural work environments
Learning Obj.: 10
133) What is the LEAST likely reason that the trend in layoffs involves retaining older workers rather than younger workers?
A) Older workers are less expensive for firms to employ.
B) Federal laws protect older workers from discrimination.
C) Older workers serve as role models for younger workers.
D) The customer service skills of older workers are desired by firms.
Answer: A
Explanation: A) Despite massive layoffs resulting from the recession of 2008/10, many other companies tried to keep the over 55 worker. This trend may be due, in part, to legal concerns based on the Age Discrimination in Employment Act, which protects workers 40 and older against discrimination. However, a large part of this movement is the desire to keep the experienced workers on board in anticipation of an economic upturn. Older workers are role models who have the specialized skills that firms need, but they typically earn higher rather than lower salaries because of seniority.
Difficulty: Challenging
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

134) The concept of ________ as a legitimate workplace diversity issue has gained increasing recognition.
A) multigenerational diversity
B) race and ethnicity
C) sexual orientation
D) disability
Answer: A
Explanation: A) Four generations are now participating in the workforce and each has different defining characteristics and nicknames. Shirley A. Davis, SHRM's director of diversity and inclusion initiatives, said, "In all parts of the world, there is another category of diversity that cannot be overlooked: multigenerational diversity."
Difficulty: Moderate
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10
135) The invisible barrier in organizations which prevent many women and minorities from achieving top level management positions is called the ________.
A) glass ceiling  
B) marble mantle  
C) stone staircase  
D) granite hurdle  
Answer: A  
Explanation: A) The glass ceiling is the invisible barrier in organizations that impedes women and minorities from career advancement. This Glass Ceiling Act established a Glass Ceiling Commission to study the manner in which businesses fill management and decision-making positions, the developmental and skill-enhancing practices used to foster the necessary qualifications for advancement to such positions, and the compensation programs and reward structures currently used in the workplace.  
Difficulty: Easy  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 10

136) Polls show that only 40 percent of Americans favor equal employment rights for gay people.
Answer: FALSE  
Explanation: Polls show that nearly 90 percent of Americans favor equality of opportunity in the workplace for gay people.  
Difficulty: Moderate  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 10

137) An estimated 86 percent of Fortune 500 firms now ban discrimination on the basis of sexual orientation.
Answer: TRUE  
Explanation: An estimated 86 percent of Fortune 500 firms now ban discrimination on the basis of sexual orientation, up from 61 percent in 2002.  
Difficulty: Moderate  
Skill: Concept  
AACSB: Analytical thinking  
Learning Obj.: 10
138) The number of single-parent households in the United States has decreased primarily because the number of marriages ending in divorce has dropped sharply in recent years.
Answer: FALSE
Explanation: The number of single-parent households in the United States is growing. Although the divorce rate peaked in the early 1980s, the percentage of marriages ending in divorce remains around 50 percent.
Difficulty: Moderate
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

139) Approximately 70 percent of mothers with school-age children are in the workforce.
Answer: TRUE
Explanation: Approximately 70 percent of mothers with children under 18 are in the workforce. If this valuable segment of the workforce is to be utilized effectively, organizations must embrace the importance of addressing work-family issues.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10

140) Firms that are considered excellent places to work by working mothers typically offer flextime and telecommuting options.
Answer: TRUE
Explanation: More and more companies provide paid maternity leave, and some offer paternity leave. Companies that were chosen in the top among Working Mother magazine's 100 best companies to work for placed greater emphasis on work-life balance, telecommuting, and flextime.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

141) In today's workplace, women make up the majority of the American workforce.
Answer: TRUE
Explanation: In 2010, for the first time ever, women made up the majority of the American workforce.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10
142) The U.S. Bureau of Labor Statistics estimates that 7.3 million workers 65 and over will be working in 2022, down from about 13.2 million today.
Answer: FALSE
Explanation: Many Boomers will resist retirement, some because they feel healthy enough to continue to work and others because their retirement income was hit hard by the economy. The U.S. Bureau of Labor Statistics estimates that about 11 million workers 65 and older will be working in 2022, up from about 6 million today.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10

143) Surveys indicate that employers who hire disabled employees are less likely to hire additional disabled employees because of the costs associated with ADA compliance.
Answer: FALSE
Explanation: A recent Department of Labor survey found that a majority of large businesses are hiring people with disabilities and discovering that costs for accommodations differ very little from those for the general employee population. The survey also showed that once an employer hires one person with a disability, it is much more likely that employer will hire other people with disabilities.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10

144) The H-1B employment visa is no longer available because of the high unemployment rate that began during the 2007/2009 recession.
Answer: FALSE
Explanation: The H-1B employment visa continues to bring in upwards of 135,000 skilled foreign workers annually despite the high unemployment rate in the United States. Until the recession of 2007/09 hit the United States, demand far outpaced supply, and companies constantly encouraged Congress to raise the cap.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10
145) The members of Generation X, born between the mid-1960s and the late 1970s, believe in lifetime job security.
Answer: FALSE
Explanation: Generation Xers recognize that their careers cannot be founded securely on a relationship with any one employer. They are very skeptical about the business world and job security. They think of themselves more as free agents in a mobile workforce and expect to build career security, not job security, by acquiring marketable skills and expertise.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10

146) Members of Generation Y are also known as Digital Natives.
Answer: FALSE
Explanation: Generation Yers (often referred to as the echo boomers, Millennials, and Nexters) were born between the late 1970s and the mid-1990s. The members of Generation Z (Digital Natives) represent the Internet-assimilated children born between 1995 and 2009.
Difficulty: Easy
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10

147) The concept of "multigenerational diversity" has gained increasing recognition as a workplace issue.
Answer: TRUE
Explanation: Four generations are now participating in the workforce, and each has different defining characteristics and nicknames. The concept of generational differences as a legitimate workplace diversity issue has gained increasing recognition.
Difficulty: Easy
Skill: Concept
AACSB: Diverse and multicultural work environments
Learning Obj.: 10

148) The H-1B employment visa allows U.S. citizens the opportunity to work for companies located outside the United States.
Answer: FALSE
Explanation: The H-1B employment visa brings in approximately 135,000 skilled foreign workers annually to the United States, including some 30,000 researchers and academicians not subject to the annual visa cap set by Congress. Of those 135,000, the majority are distributed to employers through a lottery system each April held by U.S. Citizenship and Immigration Services, an arm of the U.S. Department of Homeland Security. However, the exact number of H-1B visa holders is difficult to determine. A three-year initial visa can be renewed for another three years, and if a worker is on track for a green card, H-1B status can be renewed annually.
Difficulty: Moderate
Skill: Concept
AACSB: Analytical thinking
Learning Obj.: 10
149) What is diversity management?
Answer: Diversity management is ensuring that factors are in place to provide for and encourage the continued development of a diverse workforce by combining these actual and perceived differences among workers to achieve maximum productivity. Because every person, culture, and business situation is unique, there are no simple rules for managing diversity; but diversity experts say that employers need to develop patience, open-mindedness, acceptance, and cultural awareness. Diversity management focuses on the principle that all workers regardless of any factor are entitled to the same privileges and opportunities. According to R. Roosevelt Thomas Jr., former president of the American Institute for Managing Diversity, "diversity and diversity management are about managing and engaging people who are different and similar, all for the benefit of the organization and its goals." If organizations want to remain competitive in the marketplace, diversity has to be a part of the strategic goal. New York-based accounting giant KPMG employs more than 23,000 people in the United States. It has a complex diversity program that includes a diversity advisory board, diversity networks, diversity recruiting, accountability mechanisms, scorecards, mandatory training, and a diversity officer. Kathy Hannan, national managing partner for diversity and corporate social responsibility with KPMG, reports directly to the CEO. Programs that highlight a firm's diversity management program can be used to help attract desirable recruits.
Difficulty: Challenging
Skill: Concept
AACSB: Reflective thinking
Learning Obj.: 10

150) What is multigenerational diversity? How does it affect the contemporary workplace?
Answer: Four generations are now participating in the workforce; therefore, the concept of generational differences as a legitimate workplace diversity issue has gained increasing recognition. Baby boomers are remaining on the job longer because of the economy and often find themselves working with Generation Y employees. Traditionally, discussions of workplace diversity tended to focus on topics of race, ethnicity, gender, sexual orientation, and disability. Shirley A. Davis, SHRM's director of diversity and inclusion initiatives, said, "In all parts of the world, there is another category of diversity that cannot be overlooked: multigenerational diversity." Today, there are greater numbers of workers from each segment that bring both new opportunities and challenges. If organizations want to thrive in this competitive environment of global talent management, they need employees and managers who are aware of and skilled in dealing with the different generations that make up the workforce.
Difficulty: Challenging
Skill: Synthesis
AACSB: Reflective thinking
Learning Obj.: 10

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