

**TEST BANK**

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***Fundamentals of Human Resource Management (Dessler)***  
**Chapter 2 Managing Equal Opportunity and Diversity**

1) The \_\_\_\_\_ Amendment to the U.S. Constitution states, "no person shall be deprived of life, liberty, or property, without due process of the law."

- A) First
- B) Fifth
- C) Tenth
- D) Thirteenth

Answer: B

Diff: 2      Page Ref: 20

Objectives: Chapter objective 1

2) Title VII of the 1964 Civil Rights Act prohibits discrimination based on all of the following characteristics except \_\_\_\_\_.

- A) race
- B) sexual orientation
- C) color
- D) religion

Answer: B

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

3) Title VII of the 1964 Civil Rights Act makes it unlawful to fail or refuse to hire an individual based on

- A) race
- B) religion
- C) national origin
- D) all of the above

Answer: D

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

4) How many members serve on the Equal Employment Opportunity Commission?

- A) three
- B) five
- C) nine
- D) ten

Answer: B

Diff: 1      Page Ref: 21

Objectives: Chapter objective 1

5) The establishment of the EEOC \_\_\_\_\_ the ability of the federal government to enforce equal employment laws.

- A) greatly enhanced
- B) greatly reduced
- C) hampered
- D) truncated

Answer: A

Diff: 2      Page Ref: 21

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

6) Members of the EEOC are appointed by the \_\_\_\_\_.

- A) Senate
- B) Supreme Court
- C) President of the United States
- D) Vice-President of the United States

Answer: C

Diff: 1      Page Ref: 21

Objectives: Chapter objective 1

7) Members of the EEOC serve \_\_\_\_\_ terms.

- A) 3 years
- B) 5 years
- C) 10 years
- D) indefinite

Answer: B

Diff: 1      Page Ref: 21

Objectives: Chapter objective 1

8) The Equal Pay Act of 1963 allows differences in pay based on which of the following factors?

- A) a factor other than sex
- B) a merit system
- C) a seniority
- D) all of these

Answer: D

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

9) The \_\_\_\_\_ made it unlawful to discriminate in pay on the basis of sex when jobs involve equal work, require equivalent skills, effort, and responsibility, and are performed under similar working conditions.

- A) Title VII
- B) Equal Pay Act of 1963
- C) Executive Order 11246
- D) Age Discrimination in Employment Act of 1967

Answer: B

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

10) When companies utilize \_\_\_\_\_, they take steps to eliminate the present effects of past discrimination.

- A) affirmative action
- B) executive orders
- C) rehabilitation action
- D) anti-discrimination guidelines

Answer: A

Diff: 1      Page Ref: 21

Objectives: Chapter objective 1

11) The Equal Pay Act requires the same wages when the job involves

- A) equal work
- B) equal time spent working
- C) equal amount of education
- D) equal amount of effort

Answer: A

Diff: 1      Page Ref: 21

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

12) Which of the following factors is not an acceptable basis for different pay for equal work under the Equal Pay Act of 1963?

- A) gender
- B) seniority system
- C) merit pay system
- D) quality of production

Answer: A

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

13) Jack is a 55 year-old American of Anglo-Saxon descent. What legislation is intended to protect Jack from discrimination?

- A) Title VII
- B) Equal Pay Act of 1963
- C) Executive Order 11246
- D) Age Discrimination in Employment Act of 1967

Answer: D

Diff: 2      Page Ref: 22

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

14) Making an extra effort to promote and hire under represented protected individuals is called

- A) progressive desegregation
- B) affirmative action
- C) progressive action
- D) permitted discrimination

Answer: B

Diff: 2      Page Ref: 21

Objectives: Chapter objective 1

15) The \_\_\_\_\_ requires employers with federal contracts over \$2500 to take affirmative action in employing handicapped persons.

- A) Age Discrimination in Employment Act
- B) Vocational Rehabilitation Act
- C) Equal Pay Act
- D) Office of Federal Contract Compliance Programs

Answer: B

Diff: 2      Page Ref: 22

Objectives: Chapter objective 1

16) The Vocational Rehabilitation Act requires that employers accommodate disabled worker except when doing so imposes

- A) an undue hardship
- B) any form of inconvenience
- C) any financial burden
- D) any objection by the customers

Answer: A

Diff: 2      Page Ref: 22

Objectives: Chapter objective 1

17) The Age Discrimination in Employment Act of 1967 protects workers who are \_\_\_\_\_ and older.

- A) 40
- B) 50
- C) 55
- D) 63

Answer: A

Diff: 2          Page Ref: 22

Objectives: Chapter objective 1

18) The Pregnancy Discrimination Act treats pregnancy as a(n)

- A) disability
- B) disease
- C) unspecified condition
- D) gender specific conditionality

Answer: A

Diff: 2          Page Ref: 22

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

19) What was the name of the landmark case the Supreme Court used to define unfair discrimination?

- A) *Roe v. Wade*
- B) *Meritor Savings Bank FSB v. Vinson*
- C) *Griggs v. Duke Power Company*
- D) *Faragher v. City of Boca Raton*

Answer: C

Diff: 2          Page Ref: 27

Objectives: Chapter objective 1

20) Unwelcome sexual advances and requests for sexual favors is called

- A) sexual harassment
- B) rude
- C) legislative fodder
- D) chauvinistic

Answer: A

Diff: 1          Page Ref: 22

Objectives: Chapter objective 1

21) In *Griggs v. Duke Power Company*, Griggs sued the power company because it required coal handlers to be high school graduates. The case was decided in favor of Griggs because \_\_\_\_\_.

- A) high school diplomas were not related to job success as a coal handler
- B) Duke Power Company intended to discriminate against blacks
- C) no business necessity existed
- D) Griggs held a GED

Answer: A

Diff: 2      Page Ref: 27

Objectives: Chapter objective 1

22) If a person is in a protected class, he or she is protected by \_\_\_\_\_.

- A) Department of Labor
- B) Sarbanes-Oxley Act
- C) Title VII of the Civil Rights Act
- D) Consumer Protection Act

Answer: C

Diff: 2      Page Ref: 21

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

23) Which of the following is not a potential source of sexual harassment?

- A) supervisors
- B) customers
- C) visitors to place of work
- D) all of the above

Answer: D

Diff: 3      Page Ref: 23

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

24) Under the Pregnancy Discrimination Act pregnancy, childbirth or related medical conditions must be treated as a(n)

- A) disability
- B) incontinence
- C) unqualified claim
- D) treatable disorder

Answer: A

Diff: 2      Page Ref: 22

Objectives: Chapter objective 1

25) All of the following are ways of proving sexual harassment except

- A) visiting the ombudsman
- B) quid pro quo
- C) hostile working environment
- D) B and C only

Answer: A

Diff: 3            Page Ref: 23

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

26) Which of the following court decisions do not apply to cases of sexual harassment?

- A) *Griggs v. Duke Power*
- B) *Meritor Savings v. Vinson*
- C) *Burlington Industries v. Ellerth*
- D) *Farragher v. City of Boca Raton*

Answer: A

Diff: 3            Page Ref: 24

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

27) Which of the following court decisions broadly endorses the EEOC's guidelines on sexual harassment?

- A) *Meritor Savings v. Vinson*
- B) *Burlington Industries v. Ellerth*
- C) *Farragher v. City of Boca Raton*
- D) *Griggs v. Duke Power*

Answer: A

Diff: 3            Page Ref: 24

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

28) Under the Federal Agency Uniform guidelines it may be \_\_\_\_\_ to discriminate against persons even within the 40-plus age bracket.

- A) unlawful
- B) lawful
- C) necessary
- D) B and C only

Answer: A

Diff: 2            Page Ref: 22

Objectives: Chapter objective 3



29) In which of the following court cases did the plaintiff accuse the defendant of *quid pro quo* sexual harassment?

- A) *Burlington Industries v. Ellerth*
- B) *Griggs v. Duke Power*
- C) *Farragher v. City of Boca Raton*
- D) none of the above

Answer: A

Diff: 3      Page Ref: 24

Objectives: Chapter objective 1

30) \_\_\_\_\_ harassment is the most common form of sexual harassment.

- A) Sexual orientation
- B) Disability
- C) Gender
- D) Flirting

Answer: C

Diff: 1      Page Ref: 24

Objectives: Chapter objective 1

31) According to the text most sexual harassers

- A) are not aware that their behaviors are offensive
- B) do not care that their behaviors are offensive
- C) are intent on creating an abusive atmosphere
- D) none of the above

Answer: A

Diff: 3      Page Ref: 24

Objectives: Chapter objective 1

32) All of the following are useful in minimizing liability for sexual harassment except

- A) adopt a policy that forgives the first offence
- B) issue a strong policy statement condemning harassment
- C) inform all employees about a sexual harassment policy
- D) develop and implement a complaint procedure

Answer: A

Diff: 3      Page Ref: 25

Objectives: Chapter objective 2

33) When responding to employment discrimination charges which of the following is recommended?

- A) be methodical
- B) seek as much information about the charging parties claim
- C) prepare for the EEOC fact finding conferences
- D) all of the above

Answer: D

Diff: 3      Page Ref: 38

Objectives: Chapter objective 4

34) Which of the following is not a principle established by *Griggs v. Duke Power Company*?

- A) intent not to discriminate is irrelevant
- B) business necessity is a defense
- C) testing must be job-related
- D) performance standards must be clear and ambiguous

Answer: D

Diff: 3            Page Ref: 27

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

35) Which court case was important because its ruling provided details regarding how employers should validate screening tools?

- A) *Roe v. Wade*
- B) *Albemarle Paper Company v. Moody*
- C) *Griggs v. Duke Power Company*
- D) *Burlington Industries v. Ellerth*

Answer: B

Diff: 2            Page Ref: 27

Objectives: Chapter objective 1

36) Liability in sexual harassment lawsuits can be minimized by doing which of the following?

- A) informing employees about a sexual harassment policy
- B) training management about the dangers of sexual harassment
- C) issuing a strong policy statement condemning harassment
- D) all of the above

Answer: D

Diff: 2            Page Ref: 26

Objectives: Chapter objective 2

37) \_\_\_\_\_ means that an employer engages in an employment practice or policy that has a greater adverse effect on the members of a protected group under Title VII than on other employees, regardless of intent.

- A) Disparate impact
- B) Unintentional discrimination
- C) Affirmative action
- D) Adverse discrimination

Answer: A

Diff: 2            Page Ref: 28

Objectives: Chapter objective 1

38) Intentional discrimination is also called \_\_\_\_\_.

- A) disparate impact
- B) disparate treatment
- C) adverse discrimination
- D) mixed motive

Answer: B

Diff: 2            Page Ref: 28

Objectives: Chapter objective 1

39) Who has the heaviest burden when it comes to the burden of proof in discrimination cases?

- A) EEOC
- B) the employer in question
- C) the employee in question
- D) the EEO office

Answer: B

Diff: 2            Page Ref: 28

Objectives: Chapter objective 1

40) Which equal employment act allows the plaintiff to sue for compensatory damages?

- A) Civil Rights Act of 1991
- B) Title VI
- C) Title VIII
- D) American with Dysfunctions Act

Answer: A

Diff: 2            Page Ref: 28

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

41) Which equal employment act allows the plaintiff to sue for punitive damages?

- A) Civil Rights Act of 1991
- B) American with disabilities Act
- C) Title VII
- D) none of these

Answer: A

Diff: 2            Page Ref: 28

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

42) If an employee can show that an employer engaged in intentional discrimination with malice or reckless indifference to the federally protected rights of an aggrieved individual, the employee can ask for \_\_\_\_\_.

- A) back pay
- B) compensatory damages
- C) punitive damages
- D) all of the above

Answer: D

Diff: 3            Page Ref: 28

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

43) Under the principles established by *Griggs v. Duke Power Company*, \_\_\_\_\_ can be used as a defense for any existing program that has adverse impact.

- A) occupational qualification
- B) business necessity
- C) affirmative action
- D) burden of proof

Answer: B

Diff: 2      Page Ref: 27

Objectives: Chapter objective 1

44) Which of the following is not a guideline arising out of *Griggs v. Duke Power*?

- A) job relatedness
- B) burden of proof on employer
- C) discrimination need not be intentional
- D) discrimination must have disparate impact only

Answer: D

Diff: 2      Page Ref: 27

Objectives: Chapter objective 1

45) Under the Civil Rights Act of 1991, once a plaintiff shows disparate impact, who has the burden of proving that the challenged practice is job related for the position in question?

- A) the plaintiff
- B) the defense attorney
- C) the employer
- D) the EEOC office

Answer: C

Diff: 1      Page Ref: 28

Objectives: Chapter objective 1

46) If race, color, religion, sex, or national origin is a motivating factor in a termination, but the employee would have been terminated for failure to perform anyway, a(n) \_\_\_\_\_ exists.

- A) mixed motive
- B) business necessity
- C) defense for liability
- D) none of the above

Answer: A

Diff: 2      Page Ref: 28

Objectives: Chapter objective 2

47) The \_\_\_\_\_ prohibits employers from discriminating against qualified individuals with disabilities with regard to applications, hiring, discharge, compensation, advancement, training, or other terms, conditions, or privileges of employment.

- A) Civil Rights Act of 1991
- B) Federal Violence Against Women Act of 1994
- C) American with Disabilities Act of 1990
- D) Vietnam Era Veterans' Readjustment Assistance Act of 1974

Answer: C

Diff: 1      Page Ref: 28

Objectives: Chapter objective 1

48) According to the Americans with Disabilities Act, which of the following is not considered a disability?

- A) homosexuality
- B) voyeurism
- C) pyromania
- D) all of the above

Answer: D

Diff: 2      Page Ref: 28

Objectives: Chapter objective 1

49) The ADA prohibits discrimination against \_\_\_\_\_, those who can carry out the essential functions of the job with or without reasonable accommodation.

- A) disabled individuals
- B) qualified individuals
- C) drug users
- D) all of the above

Answer: B

Diff: 2      Page Ref: 28

Objectives: Chapter objective 1

50) The greatest number of claims brought under the ADA is related to \_\_\_\_\_ disabilities.

- A) learning
- B) mobility impairments
- C) mental
- D) hearing

Answer: C

Diff: 1      Page Ref: 29

Objectives: Chapter objective 1

51) The \_\_\_\_\_ provides that a person who commits a crime of violence motivated by gender and thus deprives another of her rights shall be liable to the party injured.

- A) Civil Rights Act of 1991
- B) Federal Violence Against Women Act of 1994
- C) Pregnancy Discrimination Act
- D) Vietnam Era Veterans' Readjustment Assistance Act of 1974

Answer: B

Diff: 1      Page Ref: 23

Objectives: Chapter objective 1

52) Which of the following is not a form of sexual harassment according to EEOC guidelines?

- A) unwelcome sexual advances that create an intimidating work environment
- B) verbal conduct of a sexual nature which unreasonably interferes with an individual's work performance
- C) mutually consensual physical conduct of a sexual nature
- D) all are forms of sexual harassment

Answer: C

Diff: 3      Page Ref: 24

Objectives: Chapter objective 1

53) All of the following are ways an employee can prove sexual harassment except

- A) quid pro quo
- B) hostile environment created by supervisors
- C) hostile environment created by co-workers
- D) hostile environment created by non employees
- E) all are ways an employee can prove sexual harassment

Answer: E

Diff: 2      Page Ref: 23

Objectives: Chapter objective 1

54) Judy was up for a promotion when her supervisor, Will, encouraged her to develop a sexual relationship with him. He suggested that her promotion would be a sure thing if they were involved. When Judy declined his advances, Will fired her. Which form of sexual harassment is this?

- A) quid pro quo
- B) hostile environment created by supervisors
- C) hostile environment created by co-workers
- D) hostile environment created by non employees

Answer: A

Diff: 2      Page Ref: 23

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

55) Gus is always making sexual jokes at work. Many employees find the jokes funny, but Shelley, Gus's executive assistant, is uncomfortable with the jokes. Eventually, she decided to quit rather than endure the jokes any longer. What form of sexual harassment is Shelley a victim of?

- A) quid pro quo
- B) hostile environment created by supervisors
- C) hostile environment created by co-workers
- D) none of the above; Shelley is not a victim of sexual harassment

Answer: B

Diff: 2      Page Ref: 23

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

56) Sally is known as a big flirt around the office. She often makes sexual innuendos to men at work—both co-workers and her subordinates. What form of sexual harassment is this an example of?

- A) hostile environment created by supervisors
- B) hostile environment created by co-workers
- C) hostile environment created by non employees
- D) This is not sexual harassment.

Answer: D

Diff: 2      Page Ref: 23

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

57) Which of the following is not a way an employer can show reasonable care to defend against sexual harassment liability?

- A) training employees in sexual harassment policies
- B) instituting a sexual harassment reporting process
- C) investigating sexual harassment charges promptly
- D) all are ways of showing reasonable care

Answer: D

Diff: 1      Page Ref: 26

Objectives: Chapter objective 1

58) What is the first step an employee should take to address a problem of sexual harassment?

- A) file a complaint with the local EEOC office
- B) file a complaint with the human resource director
- C) write a letter to the accuser
- D) file a verbal complaint with the harasser's boss

Answer: D

Diff: 2      Page Ref: 26

Objectives: Chapter objective 1

59) When harassment is of a serious nature, an employee can consider suing for \_\_\_\_\_.

- A) assault and battery
- B) injunctive relief
- C) compensatory and punitive damages
- D) all of the above

Answer: D

Diff: 2      Page Ref: 26

Objectives: Chapter objective 1

60) \_\_\_\_\_ exists when an employer treats an individual differently because that individual is a member of a particular race, religion, gender, or ethnic group.

- A) Disparate treatment
- B) Disparate impact
- C) Adverse impact
- D) Prima facie

Answer: A

Diff: 2      Page Ref: 33

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 2

61) \_\_\_\_\_ refers to the total employment process that results in a significantly higher percentage of a protected group in the candidate population being rejected for employment, placement, or promotion.

- A) Disparate treatment
- B) Unintentional discrimination
- C) Adverse impact
- D) Prima facie

Answer: C

Diff: 1      Page Ref: 31

Objectives: Chapter objective 2

62) Religion may be used as a BFOQ if \_\_\_\_\_.

- A) a religious organization requires employees to share their religion
- B) an employer does not want to honor an employee's religious holidays
- C) all of the above
- D) none of the above

Answer: A

Diff: 2      Page Ref: 33

Objectives: Chapter objective 2



63) Which of the following characteristics could serve as a BFOQ depending on the nature of the job requirements?

- A) age
- B) gender
- C) religion
- D) all of the above

Answer: D

Diff: 1      Page Ref: 33

Objectives: Chapter objective 2

64) Pictures and Promotions Modeling Studio seeks to hire male models for an upcoming fashion show featuring men's wear. The studio is using \_\_\_\_\_ as a justification for not considering women for the jobs.

- A) BFOQ
- B) ADEA
- C) EEOC
- D) none of the above

Answer: A

Diff: 2      Page Ref: 33

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 2

65) The defense of \_\_\_\_\_ requires showing that there is an overriding business purpose for the discriminatory practice and that the practice is therefore acceptable.

- A) BFOQ
- B) business necessity
- C) adverse impact
- D) mixed motive

Answer: B

Diff: 1      Page Ref: 33

Objectives: Chapter objective 2

66) Which of the following recruitment practices could be considered discriminatory?

- A) word of mouth
- B) misleading information
- C) help wanted ads with discriminatory language
- D) all of the above

Answer: D

Diff: 2      Page Ref: 34

Objectives: Chapter objective 3

67) All of the following are examples of discriminatory selection standards except

- A) educational requirements
- B) preference to relatives
- C) height, weight, and physical characteristics
- D) arrest records when security clearance is necessary

Answer: D

Diff: 2      Page Ref: 35

Objectives: Chapter objective 3

68) Under the Civil Rights Act of 1991, a discrimination claim must be filed within \_\_\_\_\_ after the alleged incident took place.

- A) six months
- B) one year
- C) 300 days
- D) three years

Answer: C

Diff: 2      Page Ref: 36

Objectives: Chapter objective 4

69) The EEOC describes a(n) \_\_\_\_\_ as an informal process in which a neutral third party assists the opposing parties to reach a voluntary, negotiated resolution of a charge of discrimination.

- A) fact-finding conference
- B) voluntary mediation
- C) negotiation
- D) mandatory arbitration

Answer: B

Diff: 1      Page Ref: 37

Objectives: Chapter objective 4

70) Firms using \_\_\_\_\_ make an extra effort to hire and promote those in protected groups.

- A) ethical hiring practices
- B) affirmative action
- C) diversity management
- D) BFOQ

Answer: B

Diff: 1      Page Ref: 38

Objectives: Chapter objective 5

71) \_\_\_\_\_ aims to ensure that anyone, regardless of race, color, disability, sex, religion, national origin, or age has an equal chance for a job based on his or her qualifications and requires employers to make an extra effort to hire and promote those in a protected group.

- A) Equal employment opportunity
- B) Affirmative action
- C) Diversity management
- D) BFOQ

Answer: B

Diff: 2      Page Ref: 38

Objectives: Chapter objective 5

72) Which of the following is not one of five voluntary activities that an organization can use to boost diversity?

- A) hire all diversity applicants
- B) evaluate diversity programs
- C) provide diversity training
- D) assess the diversity situation

Answer: A

Diff: 2      Page Ref: 39

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 5

73) Preventing discrimination claims is usually more expensive than litigating them.

Answer: FALSE

Diff: 3      Page Ref: 38

Objectives: Chapter objective 4

74) In *Farragher v. City of Boca Raton* the employee accused the employer of condoning a hostile working environment.

Answer: TRUE

Diff: 2      Page Ref: 24

Objectives: Chapter objective 1

75) Workforce diversity can lead to increase in business success.

Answer: TRUE

Diff: 3      Page Ref: 40

Objectives: Chapter objective 5

76) White males are still dominating the labor force today.

Answer: FALSE

Diff: 1      Page Ref: 38

Objectives: Chapter objective 5

77) Diversity programs can lead to increases in business.

Answer: TRUE

Diff: 2      Page Ref: 40

Objectives: Chapter objective 5

78) Limiting the information given during a response to an employment discrimination charge is advisable.

Answer: TRUE

Diff: 2 Page Ref: 38

Objectives: Chapter objective 4

79) There are four steps in an affirmative action program.

Answer: FALSE

Diff: 2 Page Ref: 40

Objectives: Chapter objective 5

80) Voluntary affirmative action programs have the potential to run afoul of the Civil Rights Act of 1991.

Answer: TRUE

Diff: 2 Page Ref: 41

Objectives: Chapter objective 5

81) Changing performance appraisal to include components regarding intergroup conflicts is not helpful in managing diversity.

Answer: FALSE

Diff: 2 Page Ref: 39

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 5

82) The EEOC receives and investigates job discrimination complaints from aggrieved individuals.

Answer: TRUE

Diff: 1 Page Ref: 36

Objectives: Chapter objective 4

83) There is no need to develop support for an affirmative action program: They are universally liked.

Answer: FALSE

Diff: 3 Page Ref: 41

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 5

84) To p affirmative action programs usually have a top official in charge of development and implementation.

Answer: TRUE

Diff: 1 Page Ref: 40

Objectives: Chapter objective 5

85) Only an aggrieved individual can file discrimination charges against another.

Answer: FALSE

Diff: 2 Page Ref: 36

Objectives: Chapter objective 4

86) It is lawful to segregate or classify your employees on the basis of national origin.

Answer: FALSE

Diff: 2          Page Ref: 21

Objectives: Chapter objective 1

87) The establishment of the EEOC assisted the federal government in enforcing equal employment laws.

Answer: TRUE

Diff: 1          Page Ref: 21

Objectives: Chapter objective 1

88) According to the Equal Pay Act management must pay workers the same under all circumstances.

Answer: FALSE

Diff: 1          Page Ref: 21

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

89) Flirting is always considered to be sexually harassing.

Answer: FALSE

Diff: 2          Page Ref: 23

Objectives: Chapter objective 1

90) When a job involves an equivalent amount of skills, effort and responsibility then an employer must give equal pay.

Answer: TRUE

Diff: 1          Page Ref: 21

Objectives: Chapter objective 1

91) The EEOC does not have the power to sue on behalf of complainants.

Answer: FALSE

Diff: 1          Page Ref: 21

Objectives: Chapter objective 1

92) Executive Orders reduce the scope of Title VII.

Answer: FALSE

Diff: 2          Page Ref: 21

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

93) The Pregnancy Discrimination Act is an amendment to Title VII.

Answer: TRUE

Diff: 2          Page Ref: 22

Objectives: Chapter objective 1

94) Verbal conduct of a sexual nature cannot be called sexual harassment.

Answer: FALSE

Diff: 1 Page Ref: 22

Objectives: Chapter objective 1

95) The most direct way to prove sexual harassment is showing a tangible employment action is dependent of sexual favors.

Answer: TRUE

Diff: 2 Page Ref: 23

Objectives: Chapter objective 1

96) The Equal Pay Act of 1963 made it unlawful to discriminate against employees or applicants for employment who are between 40 and 65 years of age.

Answer: FALSE

Diff: 2 Page Ref: 21

Objectives: Chapter objective 1

97) If an employer offers its employees disability coverage, then it must treat pregnancy and childbirth like any other disability and include it in the plan as a covered condition.

Answer: TRUE

Diff: 2 Page Ref: 22

Objectives: Chapter objective 1

98) Title VII forbids testing or screening of job applicants because testing could systematically discriminate against some protected classes.

Answer: FALSE

Diff: 2 Page Ref: 21

Objectives: Chapter objective 1

99) An employer can avoid liability for discrimination by proving that it would have taken the same action even without the discriminatory motive.

Answer: FALSE

Diff: 3 Page Ref: 28

Objectives: Chapter objective 1

100) The American with Disabilities Act of 1990 does not list specific disabilities.

Answer: TRUE

Diff: 1 Page Ref: 28

Objectives: Chapter objective 1

101) Simply being disabled qualifies someone for a job under the ADA.

Answer: FALSE

Diff: 1 Page Ref: 29

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

102) Mental disabilities like depression account for the greatest number of claims brought under the ADA.

Answer: TRUE

Diff: 2 Page Ref: 29

Objectives: Chapter objective 1

103) The ADA requires employers to have job descriptions in order to document the essential functions of each position.

Answer: FALSE

Diff: 2 Page Ref: 29-30

Objectives: Chapter objective 1

104) To prove sexual harassment, it is necessary to show that the harassment had tangible consequences such as demotion or termination.

Answer: FALSE

Diff: 2 Page Ref: 23

Objectives: Chapter objective 1

105) In order for discrimination to exist, an employer's intent to discriminate must be established.

Answer: FALSE

Diff: 3 Page Ref: 27

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 1

106) Adverse impact refers to employment processes that result in more individuals from a protected group being rejected regardless of whether the difference is significant.

Answer: FALSE

Diff: 1 Page Ref: 31

Objectives: Chapter objective 2

107) Under the Civil Rights Act of 1991, disparate impact claims require proof of discriminatory intent.

Answer: FALSE

Diff: 2 Page Ref: 28

Objectives: Chapter objective 1

108) Employers primarily use a bona fide occupation qualification as a defense against charges of intentional discrimination based on gender.

Answer: FALSE

Diff: 2 Page Ref: 33

Objectives: Chapter objective 2

109) The Age Discrimination in Employment Act prohibits discriminating against a person 50 or over in any area of employment because of age.

Answer: FALSE

Diff: 3 Page Ref: 22

Objectives: Chapter objective 1

110) EEOC investigators are empowered to act as courts and can conclude discrimination based on their investigations.

Answer: FALSE

Diff: 2            Page Ref: 36

Objectives: Chapter objective 4

111) Managing diversity means maximizing diversity's potential advantages while minimizing the potential barriers that can undermine the functioning of a diverse workforce.

Answer: TRUE

Diff: 1            Page Ref: 39

Objectives: Chapter objective 5

112) Workforce diversity makes strategic sense.

Answer: TRUE

Diff: 1            Page Ref: 39

Objectives: Chapter objective 5

113) What were the three crucial guidelines affecting equal employment legislation that Chief Justice Burger identified in his written opinion on *Griggs v. Duke Power Company*?

Answer: Discrimination by the employer need not be overt. The employer does not have to be shown to have intentionally discriminated against the employee or applicant. It need only show that discrimination did take place. An employment practice must be job related if it has an unequal impact on members of a protected class. The burden of proof is on the employer to show that the hiring practice is job related.

Diff: 3            Page Ref: 27

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

114) Under the ADA, if a disabled individual cannot perform a job as currently structured, the employer must make a reasonable accommodation unless doing so would present an undue hardship. What might qualify as reasonable accommodation?

Answer: Reasonable accommodation might include redesigning the job, modifying work schedules, modifying or acquiring equipment or other devices to assist the person.

Diff: 1            Page Ref: 29

Objectives: Chapter objective 1



115) What legal obligations are required for employers by the Americans with Disabilities Act?  
Answer: An employer must not deny a job to a disabled individual if the person is qualified and able to perform the essential functions of the job. If the person is otherwise qualified but unable to perform an essential function, the employer must make a reasonable accommodation unless doing so would result in undue hardship. Employers are not required to lower existing performance standards or stop using tests for a job. Employers may not make preemployment inquiries about a person's disability, but they may ask about the person's ability to perform specific essential job functions. Employers should review job application forms, interview procedures, and job descriptions for illegal questions and statements. While employers do not have to have job descriptions, it is advisable to have them.

Diff: 3            Page Ref: 29-30  
Skill: AACSB: Analytical Skills  
Objectives: Chapter objective 1

116) What is sexual harassment?

Answer: Sexual harassment is unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature that occurs in the workplace.

Diff: 3            Page Ref: 22  
Skill: AACSB: Communication  
Objectives: Chapter objective 1

117) What are the two types of sexual harassment?

Answer: Quid pro quo and hostile environment.

Diff: 3            Page Ref: 23  
Objectives: Chapter objective 1

118) List three equal employment laws [for extra credit give the date they were passed].

Answer: The student should be able to readily list any three such as Equal Pay Act [1963], Civil Rights Act [1964] etc.

Diff: 1            Page Ref: 20-25  
Objectives: Chapter objective 1

119) Explain the important aspects of Title VII.

Answer: Title VII prohibits the use of race, religion, sex, color or national origin as the basis for employment decisions. It also established the EEOC which today is a major body that enforces equal employment opportunity.<sup>2</sup>

Diff: 1            Page Ref: 21  
Skill: AACSB: Communication  
Objectives: Chapter objective 1

120) What are the three forms of sexual harassment? Name and describe each one.

Answer: The three main ways an employee can prove sexual harassment is quid pro quo, hostile environment created by supervisors, or hostile environment created by co-workers or non employees. Quid pro quo means that submission to sexual conduct is made a term or condition of employment or advancement. Even when no direct threats or promises are made in exchange for sexual advances, if an offensive work environment is created, sexual harassment has occurred. Further, advances do not have to be made by the person's supervisor in order to qualify as sexual harassment. An employee's co-worker or customers can cause the employer to be held responsible for sexual harassment. EEOC guidelines state that an employer is liable for the sexually harassing acts of its non supervisor employees if the employer knew or should have known of the harassing conduct.

Diff: 2            Page Ref: 23

Objectives: Chapter objective 1

121) How can an employer defend itself against sexual harassment liability? Name two methods.

Answer: An employer must show that it exercised reasonable care to prevent and correct promptly any sexually harassing behavior. Reasonable care can be shown through strong sexual harassment policies, training managers and employees regarding their responsibilities for complying with these policies, instituting reporting processes, investigating charges promptly, and taking corrective action promptly. Second, the employer can demonstrate that the plaintiff "unreasonably failed to take advantage of any preventive or corrective opportunities provided by the employer." The employee's failing to use formal organizational reporting systems satisfies the second component. Figure 2-1 on page 45 provides a list of guidelines for minimizing liability in sexual harassment claims.

Diff: 3            Page Ref: 26

Skill: AACSB: Analytical Skills

Objectives: Chapter objective 2

122) Some say that even when employers use reasonable care by taking steps to minimize liability for sexual harassment, minimize or eliminate the occurrence of sexual harassment, and take immediate action once it knows of harassing conduct, it still may not be enough. Why might this be the case? Explain.

Answer: Studies show that there are significant gender differences in perceptions of sexual harassment. Women tend to perceive a broader range of sexual behaviors as harassing than men. Employees may also be reluctant to report incidents of harassment. Reporting could trigger retaliation. Many victims do not complain or sue. They quit or try to avoid the harasser instead. In many cases, the harasser doesn't even know that he or she is offending another person.

Diff: 3            Page Ref: 24-25

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 1

123) What steps can an employee take to address the problem of harassment?

Answer: Employees can take the following five steps. First, employees can file a verbal complaint or protest with the harasser and the harasser's boss stating that the unwanted overtures should cease because the conduct is unwelcome. Second, employees can write a letter to the accused. This letter provides a detailed statement of the facts as the writer sees them, describes his or her feelings and what damage the writer thinks has been done, and states that he or she would like to request that the future relationship be on a purely professional basis. This letter should be delivered in person with a witness. Third, if the unwelcome conduct does not cease, verbal and written reports should be filed regarding the unwelcome conduct and unsuccessful efforts to get it to stop. These reports should be filed with the harasser's manager and/or the human resource director. Fourth, if the letters and appeals do not suffice, the accuser should turn to the local office of the EEOC to file a claim. Fifth, if the harassment is of a serious nature, the employee can also consult an attorney about suing the harasser for assault and battery, intentional infliction of emotional distress, and injunctive relief and to recover compensatory and punitive damages.

Diff: 2            Page Ref: 26

Objectives: Chapter objective 2

124) Compare and contrast disparate treatment and disparate impact.

Answer: Disparate treatment means intentional discrimination. It exists where an employer treats an individual differently because that individual is a member of a particular race, religion, gender, or ethnic group. Disparate impact means that an employer engages in an employment practice or policy that has a greater impact on the members of a protected group under Title VII than on other employees, regardless of intent. Disparate treatment requires finding intent to discriminate while disparate impact claims do not require proof of discriminatory intent.

Diff: 2            Page Ref: 33

Skill: AACSB: Communication

Objectives: Chapter objective 3

125) What are the five sets of voluntary organizational activities that support the success of a diversity management program?

Answer: The activities are to provide strong leadership, assess the situation, provide diversity training and education, change culture and management systems, and evaluate the diversity management program.

Diff: 2            Page Ref: 39

Objectives: Chapter objective 5

126) What does BFOQ stand for? Explain the rationale behind it.

Answer: Bona Fide Occupational Qualification. The rationale behind it is that an employer may legally discriminate among people if there is a reasonable necessity to the normal operation of a business for the employer to do so.

Diff: 2            Page Ref: 33

Skill: AACSB: Reflective Thinking

Objectives: Chapter objective 3

127) List and explain five things that an employer cannot do with regard to discriminatory employment practices.

Answer: The answer should contain five of the following. Word of mouth recruitment [answer should refer to the problem if most of workforce is homogeneous with regards to a protected class or majority], misleading information [to discourage protected class members from applying, help wanted ads, educational requirements [are they necessary], tests [are they valid], preferences to relatives, height, weight and physical characteristics [are they necessary to the job], health questions, arrest records and application forms [what should not be included].

Diff: 3              Page Ref: 34-36

Skill: AACSB: Communication

Objectives: Chapter objective 3