

Quarterly Newsletter

Fall 2009 – Focus, Affirmative Action

Defining the Terms -- Hegemony

by Carl R. Wells



We tend to think of oppression in terms of the gross misuse and abuse of power, such as a master beating the slave, or a young colored boy hanging from a tree, or an abusive husband battering his wife, or a gay victim of a hate crime. Actually, these stark miscarriages of justice and abuses of power are easier to identify and dismantle in most cases. The form of oppression that is most resistant to change continues to reproduce itself even in the face of decades of challenge and is maintained, ironically, through voluntary consent of those dominated or abused.

The idea of hegemony has been put forth as a means of explaining how oppression is not only maintained through the use of coercion and power, but also through a complex matrix of relationships. Hegemony is “the process whereby a dominant group projects its way of seeing social reality so successfully that its views are accepted as the norm, as common sense, as the natural order, even by those who are in fact oppressed or disempowered by it.” In this sense the oppressed participate in the cycle of oppression by accepting and “living out” the logic and views of the dominant culture.

The exclusion of African-Americans from college prep courses in high

school, for example, does not require overt discrimination against them. The absence of persons of color teaching in these classes and the reality of low expectations for these students prevent them in some cases from aspiring for high levels of achievement. The same can be said about spousal abuse or the exclusion of persons with disabilities from the workplace. Acts of overt racism are not needed to perpetuate the oppression of these individuals. The social order supports their oppression and disempowerment. The rules and language both communicate the way “things are,” they communicate who has the power to speak, and they also sanction what is labeled “normal” or what is dubbed as truth.

There are consequences for not following the natural order of things and rewards for obeying them. While those who are dominated do not participate in making the rules, they nevertheless help perpetuate them by living out cultural and societal expectations. In this sense, the oppressed participate in perpetuating oppression. They are willing actors in a drama that has been staged for them. Both the actors and the directors of the oppression drama keep the story alive by simply acting out their lines, going about “business as usual” without questioning societal norms and assumptions. For

example, dominant culture assumes that everyone is heterosexual. When we talk, write, or depict loving relationships, we do so in heterosexual terms. When hotels place toiletries in their rooms, the products are all made for Euro or Anglo-Americans. Flesh-colored panty hose are the shade of Caucasian skin.

While these examples are relatively minor, they illustrate the way in which dominant culture projects its reality onto everyone else. When men evaluate women, they utilize male standards and realities. Hence, female behavior “compared to male” is termed emotional or irrational. The concept of hegemony makes visible an invisible phenomenon – prejudice that exists in the form of daily exclusions, attitudes, and beliefs is more prevalent and pervasive than the extreme acts of abuse and injustice.

Source: Adams, M., Bell, L. A., Griffin, P., Teaching for Diversity and Social Justice, New York: Routledge.

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**THE UNIVERSITY
OF
SOUTH CAROLINA SYSTEM**

AFFIRMATIVE ACTION POLICY STATEMENT

Dr. Harris Pastides, President

It is the policy of the University of South Carolina System to recruit, employ, train, and advance qualified individuals without regard to race, religion, color, national origin, disability, sexual orientation, veteran status, sex or age, except where sex or age is a bona fide occupational qualification. Furthermore, the University System is committed to a policy of affirmative action to remove all vestiges of segregation and discrimination remaining as a result of South Carolina's former dual education system, and is also committed to employ and advance qualified disabled individuals, disabled veterans, and veterans of the Vietnam era.

These policies apply to academic and non-academic areas of personnel administration at all levels, and include, but are not limited to, recruitment, advertising, testing, hiring, training, tenure, promotion, transfer, leave practice, rates of pay, employee benefit programs, and employee terminations.

As part of its commitment, the University has established as a goal that the proportion of black employees and white female employees be equal to their proportionate representation in the relevant labor markets for faculty, administrative, professional and nonacademic positions. The achievement of this goal has been adopted as the official policy of the institution. It is the responsibility of the President, operating through the Office of Equal Opportunity Programs, and with the best efforts of all faculty and staff throughout the University System, to implement and monitor the Affirmative Action Plan. The Plan will remain in effect until fair representation is achieved.

Affirmative action and equal education and employment opportunities are integral parts of the mission and purpose of the University of South Carolina. All officials and employees of the University of South Carolina System, its recruitment sources, subcontractors, vendors and suppliers are informed of, and are expected to comply with, the University's commitment to affirmative action and equal opportunity.

The Executive Assistant to the President for Equal Opportunity Programs is responsible for implementing the Affirmative Action Plan, developing specific goals and timetables, and reporting to the President on institutional progress in meeting the goals of the Plan.

From The Desk of Bobby Gist, Executive Assistance to President for Equal Opportunity Programs

The mission of the Office of Equal Opportunity Programs is to ensure that applicants for employment, employees, and prospective and enrolled students of the University of South Carolina are protected against discrimination. The staff of the Office of Equal Opportunity Programs is available to advise managers, supervisors, faculty, staff, and students regarding prohibited and illegal forms of discrimination and harassment, reasonable accommodation, affirmative action, increasing diversity, and outreach.



We are also willing to help guide you through the complaint process and give you tools to improve the workplace and educational environment, and to prevent prohibited discrimination and harassment. Diverse and responsible recruitment is the duty of all organizational structures within the University. The Office EOP is available to assist the USC community with this effort and offer an array of EEO and diversity training programs. The University of South Carolina does not discriminate in educational or employment opportunities or decisions for qualified persons on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation or veteran status.

State of South Carolina Affirmative Action Law

Section 1-13-110 of the South Carolina Code of Laws, as amended, states that::

“Each State agency shall develop an Affirmative Action Plan to assure equitable employment for minorities and women and shall present such Plans to the Human Affairs Commission. On or before February 1 of each year, The Human Affairs Commission shall submit a report to the General Assembly concerning the status of the Affirmative Action Plans of all State agencies. If any Affirmative Action Plans have been disapproved, the report shall contain the reasons for such disapproval. If the General Assembly takes no action within sixty (60) days on those Plans which have been disapproved, the action of the Human Affairs Commission shall be final.”

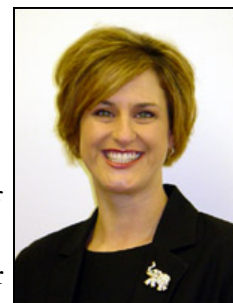
In keeping with these requirements, the Human Affairs Commission submits an annual report to the General Assembly that examines the progress State government has made towards achieving the goal of Equal Employment Opportunity (EEO).

The South Carolina Human Affairs Commission works with State Agencies to help them achieve equal employment opportunity through Affirmative Action Plans and Programs which meet all the standards established by the courts to protect the rights of both majority and minority groups. The plans analyze the demographics of agencies current work force and indicate proactive steps the agency might take to move toward greater equality. Such steps might be more intense recruiting, posting vacancies broadly or training managers in EEO law.



COMPLAINT PROCEDURES FOR EMPLOYEES

- A. University employees who feel they have been discriminated against by reason of race, color, religion, sex, national origin, age, sexual orientation, disability or veteran status are encouraged to voice their complaint to their immediate supervisor or department head or the Office of Equal Opportunity Programs.
- B. Complaints of unlawful discrimination which cannot be resolved satisfactorily within the department may be brought to the Executive Assistant to the President for Equal Opportunity Programs or Affirmative Action Coordinator on each campus. Complaints will be investigated and a determination made.
- C. It is important that unresolved complaints be brought to the administration's attention in a timely manner since some grievance procedures and investigative agencies follow a time limitation after which a formal complaint may not be initiated. For more information please call (803) 777-3854.



Rhonda Edwards
*In-take
Coordinator*

POLICY OF NON REPRISAL

No student, employee, or applicant may be subjected to restraint, interference, coercion, or reprisal for filing a complaint, serving as a witness, or seeking information regarding the affirmative action program at the University of South Carolina.

EEO Guidelines For Managers and Supervisor

By law, managers and supervisors are required to protect the rights of their employees and employer.

Managers and directors often find that preventing discriminatory and illegal forms of harassment is a tough issue to deal with in the workplace; however, when properly handled with awareness, this tough issue can become an opportunity for growth and development for everyone involved. Consider the following common managerial mistakes:

- Attempting to address the situation without the assistance of Legal, Human Resources, or EOP professionals. EEO legislation is constantly changing and very complex. When in doubt how to proceed, consult with the Office of Equal Opportunity Programs, (803) 777-3854.
- Failing to create and sustain an atmosphere within your department that demonstrates awareness of equal opportunity policies and a commitment to supporting all employees.
- Permitting discriminatory acts such as racial slurs, jokes, or sexual harassment. Even seemingly small incidents can result in charges of discrimination and subsequent investigations.
- Neglecting to analyze positions that you supervise to insure that the required qualifications are based upon bona fide job requirements.
- Not maintaining non-discriminatory recruitment, hiring, and promotion practices.
- Not being proactive in looking for possible inequities in pay, job assignments, special projects, training, and promotions.
- Not being aware of the University's affirmative action policies and plan and not making efforts to support all employees, including women, minorities and the disabled.
- Failing to document disciplinary actions. Always document your reasons for selection, termination, transfer, promotion or other personnel action. Also, develop working relationships with HR and EOP.
- Retaining unsatisfactory performers. First, make reasonable effort to help them meet standards and document these efforts. Then, if they can't do the job, follow the University's policies for discipline and/or termination.

Simply stated, the best means of dealing with harassment is to prevent it from happening before it occurs .



Many complaints that are filed with civil-rights agencies like the EEOC can be prevented by a prompt and sensitive response. Managers, supervisors and directors should be aware that most complainants just want the harassment to stop. The rising number of complaints filed with state and federal civil rights agencies is the

result of employers' failure to take action. A prompt and sensitive response when an issue surfaces can become the necessary step to prevent charges or investigations.

It is interesting to note that the majority of people who have been harassed quit or transfer out of the offensive

What Do Complainants Want?

work environment. Simply stated, the best means of dealing with harassment is to prevent it from happening.

Prevention begins with education and an attitude that harassment, in any form, will not be tolerated. When incidents occur, however, managers should respond promptly and with sensitivity.

Employing People with Disabilities

In the first survey of its magnitude, 3,797 businesses representing 2.4 million companies, across 12 industry sectors and various company sizes, reported on their beliefs about and strategies for recruiting, hiring, retaining and advancing employees with disabilities.

Employer Concerns

Can an employee with a disability get the job done?

Employers indicated the nature of the work or the skills and abilities of people with disabilities are an issue. It is well known that every person is not right for every job, but many employers don't realize that people with disabilities represent a diverse labor pool with a wide range of backgrounds and experience, capable of meeting or exceeding performance standards. A Virginia Commonwealth University survey of 250 supervisors in 43 businesses indicated that supervisors were satisfied with the performance of their employees with disabilities, rating their performance similar to that of their non-disabled peers.

How will supervisors manage employees with disabilities?

Managing employees with disabilities is really no different than managing any other employee: provide them with the tools and procedures they need to get their job done and then evaluate and reward them based on performance to expected standards. Disability awareness training and other learning experiences can help to alleviate this concern.

Are accommodations expensive?

According to the Job Accommodations Network (JAN), a free, confidential service funded by ODEP, 46 % of employers report that accommodations needed by employees and job applicants with disabilities cost absolutely nothing (i.e., simple, no cost adaptations). For those accommodations requiring a cost, the typical one-time expenditure was \$500 (www.jan.wvu.edu/media/LowCostHighImpact.doc). JAN has provided expert consultation on cost-effective accommodations, the ADA, and assistive technologies for more than 25 years.

Will my organization's worker's compensation and health care costs increase?

Most large- and medium-sized businesses report no significant increase in costs. Employers also report that any costs are outweighed by the value that workers with disabilities bring to the workplace. The benefits of hiring workers with disabilities is a good business and moral decision.

Tools & Resources Employers Can Use to Hire, Retain and Advance Employees with Disabilities

Employer tax credits and incentives	Disability awareness training	Visible top management commitment
Mentoring	Assistive Technology	Using a specialized recruiting source
Flexible work schedules	Training existing staff	On-site consultation or technical assistance
Disability targeted internship program	Reassignment	Centralized accommodations fund
Short-term job assistance via job coach	Developing a targeted recruitment program	

Ways to Recruit Talented Workers with Disabilities

Postings at job service or workforce employment centers	Contacting college and university career centers
Partnerships with disability-related advocacy organizations	Including people with disabilities in recruitment goals
Postings at disability-related publications	Postings at disability-related websites
Postings or tables at disability-related job fairs	Postings at Vocational Rehabilitation
Establishing summer internship and mentoring programs	Postings at Independent Living Centers

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Ten Myths About Affirmative Action

In recent years, affirmative action has been debated more intensely than at any other time in its 45-year history. Many supporters view affirmative action as a milestone, many opponents see it as a millstone, and many others regard it as both or neither -- as a necessary, but imperfect, remedy for an intractable social disease. My own view is that the case against affirmative action is weak, resting, as it does so heavily, on myth and misunderstanding. Here are some of the most popular myths about affirmative action, along with a brief commentary on each one.

Myth 1: The only way to create a color-blind society is to adopt color-blind policies.

Although this statement sounds intuitively plausible, the reality is that color-blind policies often put racial minorities at a disadvantage. For instance, all else being equal, color-blind seniority systems tend to protect White workers against job layoffs, because senior employees are usually White. Likewise, color-blind college admissions favor White students because of their earlier educational advantages. Unless preexisting inequities are corrected or otherwise taken into account, color-blind policies do not correct racial injustice -- they reinforce it.

Myth 2: Affirmative action has not succeeded in increasing female and minority representation.

Several studies have documented important gains in racial and gender equality as a direct result of affirmative action. For example, according to a report from the U.S. Labor Department, affirmative action has helped White and minority women move up in the workforce. Likewise, a study sponsored by the Office of Federal Contract Compliance Programs showed that federal contractors (who were required to adopt affirmative action goals) added Black and female officials and managers at twice the rate of noncontractors. There have also been a number of well-publicized cases in which large companies (e.g., AT&T, IBM, Sears Roebuck) increased minority employment as a result of adopting affirmative action policies.

Myth 3: Affirmative action may have been necessary 30 years ago, but the playing field is fairly level today.

Despite the progress that has been made, the playing field is far from level. Women continue to earn 76 cents for every male dollar (Bowler, 1999). Black people continue to have twice the unemployment rate of White people, twice the rate of infant mortality, and just over half the proportion of people who attend four years or more of college (see Figure 1). In fact, without affirmative action the percentage of Black students at many selective schools would drop to only 2% of the student body (Bowen & Bok, 1998). This would effectively choke off Black access to top universities and severely restrict progress toward racial equality.

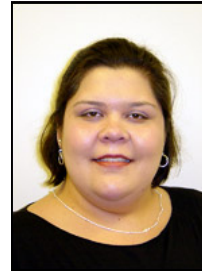
Myth 4: The public doesn't support affirmative action anymore.

Public opinion polls suggest that the majority of Americans support affirmative action, especially when the polls avoid an all-or-none choice between affirmative action as it currently exists and no affirmative action whatsoever. For example, a *Time*/CNN poll found that 80% of the public felt "affirmative action programs for minorities and women should be continued at some level". What the public opposes are quotas, set-asides, and "reverse discrimination." For instance, when the same poll asked people whether they favored programs "requiring businesses to hire a specific number or quota of minorities and women," 63% opposed such a plan. As these results indicate, most members of the public oppose racial preferences that violate notions of procedural justice -- they do not oppose affirmative action.

Myth 5: A large percentage of White workers will lose out . According to the census of 2000, there were 1.3 million unemployed Black civilians and 112 million employed White civilians (U.S. Bureau of the Census, 2000). Thus, even if every unemployed Black worker in the United States were to displace a White worker, only 1% of Whites would be affected. Furthermore, affirmative action pertains only to job-qualified applicants, so the actual percentage of affected Whites would be a fraction of 1%.



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The main sources of job loss among White workers have to do with factory relocations and labor contracting outside the United States, computerization and automation, and corporate downsizing.

Myth 6: If Jewish people and Asian Americans can rapidly advance economically, African Americans should be able to do the same.

This comparison ignores the unique history of discrimination against Black people in America. As historian Roger Wilkins has pointed out, Blacks have a 375-year history on this continent: 245 involving slavery, 100 involving legalized discrimination, and only 30 involving anything else (Wilkins, 1995). Jews and Asians, on the other hand, are populations that immigrated to North America and included doctors, lawyers, professors, and entrepreneurs among their ranks. Moreover, European Jews are able to function as part of the White majority. To expect Blacks to show the same upward mobility as Jews and Asians is to deny the historical and social reality that Black people face.

Myth 7: You can't cure discrimination with discrimination.

The problem with this myth is that it uses the same word -- discrimination -- to describe two very different things. Job discrimination is grounded in prejudice and exclusion, whereas affirmative action is an effort to overcome prejudicial treatment through inclusion. The most effective way to cure society of exclusionary practices is to make special efforts at inclusion, which is exactly what affirmative action does. The logic of affirmative action is no different than the logic of treating a nutritional deficiency with vitamin supplements. For a healthy person, high doses of vitamin supplements may be unnecessary or even harmful, but for a person whose system is out of balance, supplements are an efficient way to restore the body's balance.

Myth 8: Affirmative action tends to undermine the self-esteem of women and racial minorities.

Although affirmative action may have this effect in some cases, interview studies and public opinion surveys suggest that such reactions are rare. For instance, a Gallup poll asked employed Blacks and employed White women whether they had ever felt others questioned their abilities because of affirmative action. Nearly 90% of respondents said no (which is understandable -- after all, White men, who have traditionally benefited from preferential hiring, do not feel hampered by self-doubt or a loss in self-esteem). Indeed, in many cases affirmative action may actually raise the self-esteem of women and minorities by providing them with employment and opportunities for advancement. There is also evidence that affirmative action policies increase job satisfaction and organizational commitment among beneficiaries.

Myth 9: Affirmative action is nothing more than an attempt at social engineering by liberal Democrats.

In truth, affirmative action programs have spanned nine different presidential administrations -- six Republican and three Democratic. Although the originating document of affirmative action was President Lyndon Johnson's Executive Order 11246, the policy was significantly expanded in 1969 by President Richard Nixon and then Secretary of Labor George Schultz. President George Bush also enthusiastically signed the Civil Rights Act of 1991, which formally endorsed the principle of affirmative action. Thus, affirmative action has traditionally enjoyed the support of Republicans as well as Democrats.

Continued on page 8.....

Myth 10: Support for affirmative action means support for preferential selection procedures that favor unqualified candidates over qualified candidates.

Actually, most supporters of affirmative action oppose this type of preferential selection. Preferential selection procedures can be ordered along the following continuum:

1. *Selection among equally qualified candidates.* The mildest form of affirmative action selection occurs when a female or minority candidate is chosen from a pool of equally qualified applicants (e.g., students with identical college entrance scores). Survey research suggests that three-quarters of the public does not see this type of affirmative action as discriminatory.
2. *Selection among comparable candidates.* A somewhat stronger form occurs when female or minority candidates are roughly comparable to other candidates (e.g., their college entrance scores are lower, but not by a significant amount). The logic here is similar to the logic of selecting among equally qualified candidates; all that is needed is an understanding that, for example, predictions based on an SAT score of 620 are virtually indistinguishable from predictions based on an SAT score of 630.
3. *Selection among unequal candidates.* A still stronger form of affirmative action occurs when qualified female or minority candidates are chosen over candidates whose records are better by a substantial amount.
4. *Selection among qualified and unqualified candidates.* The strongest form of preferential selection occurs when unqualified female or minority members are chosen over other candidates who are qualified. Although affirmative action is sometimes mistakenly equated with this form of preferential treatment, federal regulations explicitly prohibit affirmative action programs in which unqualified or unneeded employees are hired (Bureau of National Affairs).

Even though these selection procedures occasionally blend into one another (due in part to the difficulty of comparing incommensurable records), a few general observations can be made. First, of the four different procedures, the selection of women and minority members among equal or roughly comparable candidates has the greatest public support, adheres most closely to popular conceptions of fairness, and reduces the chances that affirmative action beneficiaries will be perceived as unqualified or undeserving.

Second, the selection of women and minority members among unequal candidates -- used routinely in college admissions -- has deeply divided the nation (with the strongest opposition coming from White males and conservative voters.) And finally, the selection of unqualified candidates is not permitted under federal affirmative action guidelines and should not be equated with legal forms of affirmative action. By distinguishing among these four different selection procedures, it becomes clear that opposition to stronger selection procedures need not imply opposition to milder ones.

Some writers have criticized affirmative action as a superficial solution that does not address deeper societal problems by redistributing wealth and developing true educational equality. Yet affirmative action was never proposed as a cure-all solution to inequality. Rather, it was intended only to redress discrimination in hiring and academic admissions. In assessing the value of affirmative action, the central question is merely this: In the absence of sweeping societal reforms -- unlikely to take place any time soon -- does affirmative action help counteract the continuing injustice caused by discrimination? The research record suggests, unequivocally, that it does.

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