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Discrimination in the Workplace

InFocus Programme on Promoting the Declaration on Fundamental Principles and Rights at Work

International Labour Office

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Discrimination in the Workplace

Abstract

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Keywords

discrimination, act, work, equal, right, race, colour, sex, workplace, human

Disciplines

Civil Rights and Discrimination

DISCRIMINATION IN THE WORKPLACE

Q: What is discrimination?

Discrimination in employment and occupation means treating people differently and less favourably because of characteristics that are not related to their merit or the requirements of the job. These characteristics include race, colour, sex, religion, political opinion, national extraction and social origin.

Other kinds of discrimination that the ILO and its constituents are concerned with include age, disability, HIV AIDS, religion and sexual orientation. Anti-union discrimination is also persistent and widespread. The elimination of discrimination is a key aim, contained in the ILO Declaration on Fundamental Principles and Rights at Work.

Q: When is different treatment not discriminatory?

Different treatment and rewards based on different levels of productivity is not discriminatory. Some workers and some occupations are more productive than others, reflecting different skills, qualifications and abilities. This leads to different returns at work - and it is fair and efficient. Different treatment based on individual merit, such as talents, knowledge and skill, is not discriminatory.

Different treatment to meet the special needs of some individuals - and make sure that they have equal opportunities - is not discriminatory. For example, it is not discriminatory to make sure that a worker with a disability has proper access, or to ensure that a worker who is pregnant is not exposed to workplace hazards. This may also include measures aimed to help members of groups disadvantaged by past or current discrimination.

Q: Why eliminate discrimination?

Human development and human dignity both depend on freedom from discrimination at work. It is a fundamental human right, and individuals, enterprises and society at large all stand to gain. Eliminating discrimination is essential if individuals are to be able to freely choose their professional paths, develop their talents and skills and be rewarded according to merit. Discrimination produces inequalities in the labour market and unfair disadvantages.

Fairness and justice at the workplace boosts the self-esteem, morale and motivation of workers. A more productive and loyal workforce combined with efficient management of human

resources makes for more productive and competitive enterprises. Discrimination creates stress, lowers morale and motivation, affects self-esteem and reinforces prejudices. The risk of social tension and conflict is also reduced when opportunities are more evenly distributed among different groups in society.

Long-term discrimination and exclusion can lead to poverty and social fragmentation that compromises economic growth. For example, in South Africa, during the apartheid era, shortages in skilled labour in the manufacturing sector slowed the economy. The education system made it impossible for the majority of the population to compete for higher-level positions, and compounded the skills blockage. Eliminating discrimination in the workplace is a strategic step towards combating discrimination elsewhere, helping to build more egalitarian and democratic labour markets and societies and to reduce conflict.

By contrast, diversity can make businesses more competitive. A workforce that reflects society's diversity, in terms of age, sex, religion, abilities and disabilities among others - is better placed to understand and meet the needs of diverse customers. More equal distribution of productive resources and education between men and women leads to higher productivity and growth.

How can discrimination be eliminated?

Laws banning discrimination and promoting equality are indispensable - but laws alone are not enough. Discrimination at work will not disappear just because it is forbidden. Effective enforcement institutions, positive action, unbiased education, training and employment services, and data to monitor progress are also necessary. This mix of policies and instruments is essential, whatever the form of discrimination.

Both formal and informal barriers to equality must be dismantled. Measures to promote equality need to take account of diversity in culture, language, family circumstances, and the ability to read and to deal with numbers. For agricultural workers and owners of small or family enterprises, especially non-dominant women and ethnic groups, equal access to land, training, technology and capital is key. Awareness-raising for the public at large may also be required. Other important avenues for combating this constantly changing phenomenon include strengthening the capacity of employers' and workers' organizations and making those organizations more representative.

Why start at the workplace to combat discrimination?

The workplace is a strategic entry point to free society from discrimination. When the workplace brings together workers of different races, sexes and ages, for example, and treats them equally, it helps build a sense of common purpose. By doing so it defuses stereotypes and prejudices that are at the heart of discrimination. Combating discrimination at the workplace can also help reduce disadvantages such as in education resulting from discrimination that people may have suffered at earlier stages in life.