

## DIRECT AND INDIRECT DISCRIMINATION IN ORGANISATION

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**ABSTRACT:** Workplace discrimination is a significant issue in today's society, causing frustration, diminishing morale, and aggravated labor market inequities. Despite the legislated anti-discrimination laws, there are still significant gaps in research on this issue in software engineering. A survey of employees revealed that age, gender, and race are contributing factors to workplace discrimination. Many participants chose to "let it go" instead of engaging in effective communication with colleagues or HR. Respondents provided feedback on how companies can decrease discrimination and create a more positive work environment, describing concrete actions employers can take to create a healthy, equitable, and thriving workplace for every software professional.

**KEYWORDS:** Economics, Social Networking (online), Employment, Medical Services, Companies, Software

### I. INTRODUCTION

Discrimination in the workplace is an unfortunate reality that all organisations and employees have to deal with. In simple terms, discrimination means to favour someone else over others in a way that goes beyond the person's knowledge, skill, and ability to do the job. There are many kinds of workplace discrimination, and in this article, we will focus on Direct and Indirect Discrimination at the workplace for Indian employees [1]. We would look at some of the key legal frameworks prevalent in India and the impacts discrimination has on employees and the organisation. We would explore ways of addressing and minimising discrimination in Indian employment.

Any worker can encounter insults, demotions, docked payrolls and blocked opportunities. When these kinds of actions are directed toward members of particular social groups because of their identities, however, a larger social problem that of workplace discrimination is revealed. Unfortunately, despite the prohibition of employment discrimination on the basis of race, color, religion, sex, or national origin by the Civil Rights Act of 1964, people from disadvantaged social groups continue to report unfair treatment at work. Indeed, a total of 88,778 charges of discrimination were received by the Equal Employment Opportunity Commission in 2014, yielding \$22.5 million in monetary relief for litigated cases (Equal Employment Opportunity Commission, 2015). These concerns are magnified in the increasingly diverse workplace; the Bureau of Labor Statistics reports that the composition of the U.S. workforce is approximately 47% women, 21% ethnic minority, and 10% people with disabilities [2].

Human resource scholars and practitioners are attuned to these statistics and have built a large body of relevant knowledge[3]. For example, the Society for Human Resource Management identified demographic changes and cultural integration as critical themes in its strategic initiative to shape the future of work (SHRM, 2013). As another example, a review of articles published in the Journal Applied Psychology since its 1917 inception discovered over 500 papers on employment discrimination. The overarching goal of this chapter is to reflect on the major conclusions and questions that have emerged from this body of work. To do so, we define discrimination and specify its potential targets before considering its proximal and distal causes and consequences. We further synthesize theory and evidence that guide efforts to reduce discrimination and avoid its consequences [4]. Overall, this review fulfills dual purposes to inform and inspire practical and scholarly efforts to understand and eliminate discrimination in the workplace.

These broad definitions have informed typologies of discrimination which tend to cluster discriminatory actions according to their conspicuousness. Here we discuss three separate approaches to understanding types of discrimination: subtle versus overt, interpersonal versus formal, and microaggressions. These perspectives represent shared scholarly understanding that the manifestation of contemporary discrimination is much less conspicuous than that of the past, but also indicate some disagreement in which behavioral distinctions are most important to emphasize [5].

The first, most inclusive classification scheme designates some discriminatory actions as overt and others as subtle in nature [6]. Overt discrimination involves blatant, unambiguous actions that directly convey denigration of a person as a function of their social group membership. This can be contrasted with subtle discrimination, which includes “actions that are ambiguous in intent to harm, difficult to detect, low in intensity, and often unintentional”. It is further important to note that these actions are, “entrenched in common, everyday interactions, taking the shape of harassment, jokes, incivility, avoidance, and other types of disrespectful treatment”. The subtle-overt distinction can be aligned with research in social cognition that articulates the ways that implicit (unconscious) and explicit (conscious) biases operate; much like cognitions operate in unconscious and conscious forms, so too do discriminatory behaviors[7]. This may explain why a large body of research has accumulated from this perspective, including studies examining different patterns in perceiving and responding to subtle and overt discrimination.

The second typology that has received substantial scholarly attention is one that distinguishes between formal and interpersonal manifestations of discrimination. Whereas formal discrimination can be understood as behavior that is generally illegal and structurally oriented (such as a decision not to hire or promote someone on the basis of their social identity), interpersonal discrimination involves unhelpful, disrespectful, or hostile behaviors in everyday interactions. Research using this typology has demonstrated, for example, that gay and lesbian job applicants encounter interpersonal, but not formal, forms of discrimination. Although formal and interpersonal discrimination are often described using terms that overlap with overtness and subtlety, they are not entirely aligned; discrimination can be formal and subtle or interpersonal and overt.

## II. LITERATURE SURVEY

C. -L. Lu and C. -T. Lin, et.al [9] study is to identify the relationship between gender difference and employee workplace friendship, and further discusses is there any differences between those in Taiwan and Mainland China for clarify geographic difference has impact the relationship between these two regions. There were total 550 questionnaires sent out by convenient sampling, and 497 out of them, including 247 questionnaires collected from Taiwan and 250 questionnaires collected from China, are effective questionnaires. In Taiwan, 118 questionnaires were collected from male of Taiwanese employees, and the rest 129 questionnaires were collected from female of Taiwanese employees. In Mainland China, 154/96 questionnaires were collected from male/female of Chinese employees.

Pei-Kuan Lin, Tri Thai Tran, Pao-Cheng Lin and Shao-Yu Li, et.al [10] purpose of this study was to investigate how Vietnamese female workers from various industries perceived gender discrimination and how they reacted against gender discrimination misconducts at workplace. A survey questionnaire was designed and distributed to 450 respondents. Structural Equation Modeling (SEM) was employed as statistical methods to analyze the relationships and mediating effect among the variables. Several implications were proposed at the end of the text based upon the research findings.

A. Dey and M. N. Newaz, et.al [11] Garments industry is one of the biggest industries of Bangladesh and a large portion of our population comprises of garments workers who face several problems starting from health and financial problems, discrimination, safety issues and lack of skill development opportunities – which make them more vulnerable and obstruct them from finding a better tomorrow. A country can't march forward with a large portion of it leaving behind and thus we target to improve their conditions by designing an intervention which propels to achieve the target by maintaining a predictive model which predicts on the data collected from the users. It suggests the users who are garment workers, about the available and better opportunities for workspace in the easiest way.

P. Vigneswara Ilavarasan, et.al [12] growing literature on women in the information technology (IT) industry, knowledge about gender discrimination within employing organizations is inadequate. This article fills the gap by testing four hypotheses that explore whether work opportunities are equal for women in India. The study did not find any support for the delineated hypotheses and concluded the following: women software workers do not perform low-skilled activities; they experience the same as men on core job characteristics, they do not feel marginalized in work teams; and work hours do not differ for men and women. Conclusions support the view that structural constraints outside the IT organizations need to be removed to increase the participation of women in IT

## III. METHODOLOGY

The impact on an employee who is a victim of discrimination can range from mild to severe. In mild cases, it may lead to temporary uneasiness at the workplace, which does not have a profound effect. In severe cases, employees might suffer from: Lower Energy Levels at Work- Employees will feel disengaged at work and unable to show their full productivity as per their potential. This will translate to the overall performance of employees and can have a

cascading effect depending on the criticality of the role. Employees can start feeling resentful towards peers, managers, and management. Health Concerns – Increased stress levels can eventually lead to health issues that can translate to absenteeism at work. Absenteeism, in turn, costs the company and reduces employee morale. Inclusivity – Employees start feeling they need to work in an inclusive environment. They have a negative view of fairness and equity in their companies. It has the potential to create a hostile work environment. Reduced Career Opportunities – Employees who face issues with pay hikes, promotions, etc. owing to discrimination would start to feel the impact on their careers and would eventually end up quitting the organisation.

Discrimination can have some adverse impacts on the bottom line of companies. The impacts can range from financial implications to adversely impacting the brand image of the company. Liability to the Company – Addressing and resolving discrimination charges costs company time and money. For severe cases where companies do not have in-house experts to deal with the same, it would mean taking external help to resolve issues. Eventually, a company with a discriminatory culture will have an impact on its bottom line. Lack of Employee Morale and Low engagement – In instances where it's evident that promotions, hikes, and perks are given based on discrimination, it will directly impact the ones who feel discriminated against and indirectly the employees who are not. This would eventually lead to high percentages of attrition and absenteeism in the company, impacting the financials of the company negatively. Brand Image of the company – In the modern age of social media, it doesn't take long to spread the negativity within a company to the outside world. The brand of the company will take a severe hit, and it will eventually lose out to competitors. Recruitment efforts will take a hit. Nowadays, employees do research on the company before applying, and the discriminatory culture becomes quite evident.

Both as employers and employees, we can look at means of addressing and preventing discrimination. While it cannot be stopped completely, efforts can be made to minimise it. As an employee, have a clear idea of the relevant company policies, and try to have a clear idea of what their role is towards themselves and towards others. Getting into a mindset of asking oneself if their actions and decisions are discriminatory towards others. It's also important to know as an employee how to address and report discrimination, who the immediate POCs are, and what forum the instances can be voiced out and recorded. Both managers and employees should try to lead by example in their awareness and the way they respond to discrimination.

As an employer should have robust and detailed policies and procedures, and efforts should be made to make employees aware of these policies. Efforts should be made to check if any policy has the possibility of infusing indirect discrimination. Ensure that employees know how to raise incidents related to discrimination in the correct forums. Ensure rule handbooks are regularly updated to match the current regulations to minimise the chance of discrimination. Have regular training and awareness programs with employees on workplace discrimination.

#### IV. CONCLUSION

This paper provides an understanding of the causes, forms, and effects of workplace discrimination and discusses concrete suggestions to help reduce workplace discrimination in the software engineering field. The legal system in India has evolved over the years to handle discrimination. With the kind of data analysis we saw, we see cases of prevalent discrimination, especially for women. The Government of India should look to incentivise the participation of women workers in the Indian job market to reduce gender discrimination. When comparing the discrimination heads of gender, caste, and religion, it's gender-based discrimination that needs attention compared to the other two. Caste and Religion based discrimination are much less common compared to what women in India face against men.

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