

Case Study 1

Religious Discrimination and Racial Harassment: What Ever Happened to MarShawn DeMur?

Liberty University

BUSI 642

Karla De Jesus

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**1. Identify and describe the specific issues Maalick encountered in the workplace. Do the actions of other workers at Treton represent discrimination and harassment? What elements of law are important for Treton to consider?**

Within this case study, there is a clear representation of religious and racial discrimination and harassment within Maalick's workplace. The initial discrimination started when Maalick requested time off to attend his five-day spiritual confirmation. Jenkin's response when he said "I need some information on this so-called religion before I can make a decision to give you a week off" (Combs, 2009, p. 3), was discriminatory in nature. Furthermore, the actions of his co-workers upon his return can also be seen as harassment. The remarks and items left in Maalick's office were intentionally placed there to make fun of Maalick's new found religion and racial status. Furthermore, Maalick did attempt to address the discrimination issue with his immediate supervisor but was met with more discrimination by Jenkins. Further, the fact that Maalick was not offered the promotion to the system manager position could be perceived as discrimination, especially in light of the past department actions and the fact that the position was offered to an outside employee that was a member of Jenkin's church.

According to the Title VII of the Civil Rights Act of 1964, "discrimination on the basis of religion is prohibited. Employers are required to reasonably accommodate an employee's sincerely held religious beliefs, observances, and practices when the provisions of such an accommodation would not impose any undue hardship on the employer" (Ghumman, et. al., 2013, p. 439). For Maalick, there was both an accommodation with his requested time off that needed to be made. Additionally, he was also requesting that he not be discriminated against by his co-workers. In this case, Maalick was experiencing disparate treatment. According to Gomez-

Mejia, et. al. (2016, p. 88), “disparate treatment, occurs when an employer treats an employee differently because of his or her protected-class status”.

**2. Evaluate the actions of the HR director, Marta Ford, in response to Maalick’s situation.**

**What could she have done to prevent the situation and what more could she do to ensure that this type of situation would not occur in the future?**

While Marta Ford attempted to make Maalick feel accepted and comfortable about his name change, the case study does not show that she appropriately dealt with the issues when Maalick brought up the comments and question his co-workers were asking him regarding his religion. At the initial concerns that Maalick presented, Marta should have reached out to the department and Jenkins to ensure that she addressed the concerns of discrimination with them. In his article, Koys (2001, p. 133) provides a very detailed approach that can be taken by Human Resource departments for addressing workplace discrimination issues. His main point refers to the implementation of equal opportunity employment. Having this policy well represented and implemented successfully with their company would have been a useful tool for prevention of workplace discrimination in Trenton Communications.

Recently, many companies have integrated harassment prevention courses and meetings in their employee training, as a form of prevention of any type of discrimination within their businesses. Maalick’s situation would have provided Marta with the opportunity to ensure that their company is properly expressing their zero-tolerance attitude towards discrimination of any kind.

**3. How would you characterize Clive Jenkins’ behavior and response to this situation?**

As the facility director and Maalick’s supervisor, Jenkins bears the brunt of responsibility to address any type of discriminatory actions that were taken by the department employees

towards Maalick. Unfortunately, it seems like Jenkins decided to join in the discrimination rather than addressing and preventing it. Jenkin's response of "I have been wondering about what I have seen you reading, and, frankly, some of your workers have asked me about the pamphlets you leave around your office" (Combs, 2009, p. 3), only propagates the discrimination further. It is clear that Jenkins has been discussing Maalick's religion with his peers and employees which could have fanned the flames that lead to the acts of discrimination that Maalick returned to after his church trip.

As a church going member, Jenkin's actions violate the Christian biblical perspective. Timothy 4:12 says "Don't let anyone look down on you because you are young, but set an example for the believers in speech, in conduct, in love, in faith and in purity" and 1 Corinthians 11:1 says, "Follow my example, as I follow the example of Christ". Either of these biblical text should have been applied by Jenkin's to his actions towards Maalick. As a leader in his department, Jenkins had the unique position to provide a biblical example of love even if he disagreed with Maalick's religious inclinations.

#### **4. What resolution to this situation might Judith Dixon suggest?**

In Moore's (2010, p. 49) study he states,

So, it would seem that an organization's stance on workplace acceptance of religious expression would somewhat control the amount of religious expression communicated between its employees in the formal, clockwork culture. In the informal, snake pit culture, however, religious beliefs would perhaps still be communicated between coworkers.

This concept can be applied to the case study. As the Corporate Vice President for EEO and Diversity, Judith should make clear what the position of the company is with regards to

workplace discrimination and harassment. Once she has laid out the appropriate policy, there should be some educational process and program that can be implemented by the Human Resource department to ensure that this information is disseminated to all employees. Further, a annual refresher course can be also found as a helpful tool for prevention. As a response to the existing problem, Judith may want to consider deploying a anti-harassment campaign across all departments to ensure that all employees understand that the company's position against harassment in the workplace. Further investigation should be made by Dixon and the human resources department into the hiring of the outside systems manager position to ensure that there was not any discriminatory behavior on behalf of Jenkins during the interview and hiring process.

**5. What are the broader implications of this situation for Treton? What type of organizational review might Dixon initiate or suggest from a corporate perspective?**

From a broader perspective, an in depth review of Trenton's EEOC, code of ethics and discrimination policy should be completed by Dixon. "Employees have rights but so do their coworkers, their employers, and importantly, the customers and clients they interact with." (Adams, 2012, p. 298). Establishing a proper protocol for dealing with issues of discrimination and harassment should also be considered by Dixon and the human resource department. Further training should happen from the top management down to the front line employees. Strategic policies and measure should be in place not only to prevent future incidents from happening but measures should be in place to help managers and supervisors identify behaviors that can potentially lead to harassment and discrimination. Department managers should be empowered to address any instances of harassment and discrimination immediately and they should be able to follow a process to inform human resources of any incidents within their departments.

## References

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