

Lesson Plan (High School) **Discrimination in the workplace**

Objectives

- Students will become familiar with civil rights law particularly Title VII of the Civil Rights Act of 1964, the legal foundation for combating discrimination in the workplace.
- Students will recognize instances of discrimination in the workplace against Arabs, Arab-Americans and Muslims since September 11.
- Students will use the law to evaluate and explain instances of discrimination in the workplace.

Procedures

- Pass out the handout explaining Title VII of the Civil Rights Act of 1964 and introduce the important aspects of the law including addressing the definitions of important terms. It is important to explain not only what the law means, but also the types of penalties employers face if they are found guilty of discrimination or of allowing their employees to create a hostile work environment for other workers.
- Divide the students into groups of two or three, and each group will receive an incident of discrimination from the list provided.
- Each group will read and discuss the incident of discrimination in the workplace.
- Each group will decide what type of discrimination the incident represents and fill out the Incident Information form accordingly.
- Each group will imagine they are lawyers working for a civil rights organization receiving reports of discrimination. They will write a short report based on the information provided and Title VII explaining how the incident violated the law. Students need to imagine they are writing a report in order to offer legal advice to the victim of discrimination. This means they should try to decide which sections of the law were violated in the incident. Students should clearly state the parts of the law that have been broken along with an explanation.
- The students will present their reports to the class and discuss the aspects of the incidents that they believe violate the law. All students should be encouraged to

- ask questions and/or challenge the findings of each group based on their understanding of the law.
- In addition to discussing the legal aspects of each incident of discrimination, encourage students to imagine the way each person in a particular incident might have felt. This could become a separate activity involving role-playing where students would take on the identity of the victims and the aggressors. This will allow the students to understand the personal side of instances of discrimination in the workplace.

Note: Teachers may want to do this activity during two different sessions. The first session would be to introduce the law and ways of identifying instances of discrimination in the workplace. The first session could end with the groups beginning their reports while the second session could be used for groups to present their reports to the class explaining how their incident was discrimination based on the law. The class would be encouraged to have a lively debate on issues concerning discrimination in the workplace.

Depending on the level of the class, teachers may use either the text provided, which summarizes Title VII of the Civil Rights Act of 1964, or they may use the full text, which may be accessed at www.eeoc.gov/laws/vii.html.

Handout 1 Discrimination in the workplace

Key Terms

bias: an opinion that is slanted in such a way as to prevent impartial judgment, resulting in prejudice; an unfair act or policy stemming from this prejudice.

civil rights: rights guaranteed to individuals by the U.S. Constitution and Bill of Rights to protect people's freedoms, such as the freedom of speech, the freedom to practice religion, to vote, to have equality before law, and to engage in political activity.

discrimination: the unfair treatment or preference for people based on individual and/or group characteristics rather than on personal merit. This includes discrimination by individuals, established by policies or laws, or by institutions.

harassment: actions or words that create an intimidating, hostile or offensive working environment, unreasonably interferes with work performance, or negatively affects employment opportunities.

hate crime: a criminal offense committed against a person or property that is motivated by the offender's bias against a race, religion, or ethnic group. Such crimes include physical assault, vandalism or destruction of property, and even intimidation through threatening words or conduct that causes others to have a reasonable fear of bodily harm (*Arab American Encyclopedia*, UXL, 2000, p 194).

human rights: the innate rights and freedoms of all individuals; set of declared human rights in the form of the Universal Declaration of Human Rights proclaimed by the United Nations on December 10, 1948. Article 1 of this declaration states that "all human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood."

national origin: a person's connection to a particular national group. This may include physical, cultural, ethnic, and/or linguistic characteristics. It is unlawful for an employer to discriminate against an employee because of his or her direct ties to a particular national group or because of any association he or she may have with that group.

prejudice: unjustified prejudgments about individuals or groups, usually resulting in negative opinions and feelings towards the individuals or groups in the forms of racism and elitism.

stereotype: a generalization about a group of people, whether racial, ethnic, cultural or religious, that is misleading and often negative and derogatory.

Title VII of the Civil Rights Act of 1964

Federal law prohibits employment discrimination, codified in Title VII of the Civil Rights Act of 1964. This Act makes it illegal to discriminate against an employee or one seeking employment on the basis of any of eight categories: race, religion, color, age, sex, disability, national origin or citizenship status. Discriminatory practices include bias in hiring, job assignment, promotion, termination, compensation, and various types of harassment or hostility in the work environment. It is also illegal for an employer to penalize an employee for exercising his or her right to oppose and report any of these forms of discrimination. Retaliatory actions cannot legally merit demotion or dismissal.

Whether one is authorized to work or seek employment in the United States as a citizen, resident, or alien, U.S. law guards the right to equal opportunity. Except in the cases of some government contracts, a hiring employer may not discriminate based on citizenship status if the applicant has legal work authorization. An employer also may not discriminate against an applicant or employee based on his or her national origin, associations with persons of a national origin group, marriage to someone of a particular national origin, membership in an organization that promotes the interest of a national group or because his or her name is associated with a national origin group.

How to respond to an incident or incidents of discrimination in the workplace

It is essential to understand that discrimination in the workplace is **ILLEGAL**. The most common difficulty in trying to punish the perpetrators of such discrimination is the lack of knowledge among workers of their rights, and of the steps that they should take when an incident occurs. It is important that an employee who experiences discrimination or other employees who witness an act of discrimination keep a detailed record of dates, times, and actions. A record of what occurs is crucial to proving that discrimination in the workplace occurred.

It is also important for employees to learn their employer's policy on harassment and the procedures to follow when a violation happens. If possible, an employee should follow these procedures immediately after an incident occurs. In some cases where the hostile work environment involves an employee's superiors or others who are responsible for enforcing penalties, it is advisable to consult the EEOC (Equal Employment Opportunity Commission) to obtain legal advice and/or to file a complaint.

Handout 2
Discrimination in the Workplace

The following incidents were reported to the American-Arab Anti-Discrimination Committee (ADC) and by news organizations in the months after September 11, 2001. Cut along the lines to make incident cards for each group to assess and consult in order to prepare a report for the class.

Undisclosed Date-The Bay Area, CA: A Muslim woman said she received a death threat from a co-worker. Her supervisors treated it as a joke, but ultimately, she left the job because she didn't feel safe there any longer. (*The San Francisco Chronicle*, 10 November 2001)

September-Cupertino, CA: A 34-year-old Jordanian-American technician was fired from his job of seven months making computer circuit boards. The week before September 11, his weekly evaluation was positive, as usual. However, the day following the terrorist attacks, his boss gave him his first negative review. Furthermore, his boss required him to report his whereabouts every half-hour. After a week, he lost his job in a series of layoffs. Although there were other layoffs, the company kept technicians with less seniority than his. (*Newhouse News Service*, 15 October 2001)

September-Fontana, CA: A Muslim high school senior working at a fast-food restaurant was the repeated target of bias jokes from both his coworkers and his manager. At first, coworkers taunted him, asking why his "cousins" destroyed the World Trade Center. Sometime later, his manager began teasing him as well. "Hey, we're going to have to check you for bombs," the manager joked, often in front of other employees. Days later, he was fired after he accidentally threw away a paper cup that the manager was using. The management said he was let go for "performance deficiencies." (*The Los Angeles Times*, 10 February 2002)

September 11-Huntington Beach, CA: A doctor from Egypt was abruptly fired from his job at a medical center by his supervisor, who specifically mentioned the doctor's nationality and religion. The doctor thought of suing, but was worried it would hurt his chances of getting a green card. (This could threaten his future employment opportunities.) (*The San Francisco Chronicle*, 10 November 2001)

September 12-Newark, NJ: An Arab-American maintenance company employee working in a mail room facility of the Newark International Airport was questioned by two security guards about his national origin, immigration status, friends in the United States and abroad and other such details. The security guards at first denied him use of the phone, a usual privilege to all employees. After a while, they were persuaded to allow him to call his mother, but only on the condition that he speak in English. His mother, however, did not speak English. Later, a shift manager made snide remarks about

“your country” to the employee and threatened to write a penalizing report against him. (Reported to the ADC)

Handout 2 (continued)

September 19, 20, 27-Undisclosed Location, USA: A flight attendant, an American of Lebanese origin, was pulled off line. Although he was scheduled to work on Wednesday, September 19, he was escorted from the plane before takeoff because the pilot did not feel comfortable with him on board. On September 20, he boarded another flight and a female flight attendant kept making remarks to the passengers such as, “All these people should be shot, all these people should go back to their country.” On September 27, his union representative informed him that he would not fly until they received a letter from corporate security clearing him. (Reported to the ADC)

September 28-McLean, VA: A department store employee was subjected to a hostile work environment by her supervisor who allegedly repeatedly stated that the government should restrict the admission of Arabs and Muslims. “It would be better to prohibit them from living here because any one of them can become a terrorist-in-waiting, even their children,” the supervisor opined. He repeated anti-Arab comments on many occasions. The supervisor threatened to fire the employee, and claimed it was on account of the economic situation. In the weeks that followed the terrorist attacks, two other employees of Middle Eastern origin were fired. (Reported to the ADC)

October 2-Midland, MI: The manager of a transport company’s branch suspended an Arab-American truck driver. Despite the driver’s good record with the company, he was suspended for “safety reasons.” He asked the manager if this had anything to do with the terrorist attacks or his religion and the manager responded affirmatively. (Reported to the ADC)

October 24-Wilmington, NC: A nurse recently converted to Islam and came to work wearing the *hijab* (head scarf worn by some Muslim women to cover their hair and necks). A doctor called her to his office and said, “You’re being offensive to me and my clients.” She talked to the head manager who assured her not to worry, that they would discuss it the next day. The next morning, the head manager told her, “I can’t ask you to leave and it’s not legal to fire you, but if you want to leave you can.” He also told her, “If you don’t cover your head everything will be OK.” (Reported to the ADC)

November 8-New York, NY: After September 11, a Wall Street business relocated, and in the move, an Arab-American employee was requested not to return to work with the rest of his team. On September 20, his supervisor called him, requesting his return to work. During his brief reinstatement, the employee was asked intimidating questions about his religion and culture. On November 8, the company director called the Arab-American employee into the office and fired him, repeating that it was not ‘because of the disaster at the World Trade Center. (Reported to the ADC)

October 9-Los Angeles, CA: An Egyptian-American janitor working on a university campus was threatened by his supervisor, who said that he “was not a man” and should be sent “back to Afghanistan.” He was also insulted and harassed by the supervisor’s assistant. (Reported to the ADC)

**Handout 3
Discrimination in the workplace**

Imagine you are lawyers working for the ADC (American-Arab Anti-Discrimination Committee) or another civil rights organization who receive complaints of incidents of discrimination. You must record all the information you receive, and use your knowledge of Title VII of the Civil Rights Act of 1964 to decide what kind of legal advice you would give the person who has called in a complaint. In order to assess the incident, you must fill out the Incident Report / Discrimination Claim based on the information provided about your incident. After you have filled out the top portion, write a short report, which you will share with the rest of your class. This report should explain why and how aspects of the reported incident break the law according to what you have learned about Title VII. Be sure to state which part of the law has been broken.

Incident Report / Discrimination Claim

Category of Discrimination: • Employment • Religious • Education

Cause/Reason of Discrimination: • Age • Color • Gender • National Origin
• Race • Religion • Disability • Citizenship Status
• Other _____

Incident Report to _____

Involved Parties _____

Report

Discrimination in the workplace

A Note to Teachers

Discrimination takes place against people from a variety of ethnic and religious backgrounds. Students in American schools have increasingly become sensitive to the culture, history and customs of ethnic groups such as African Americans, Latino Americans, Asian Americans and Jewish Americans. Applying this sensitivity towards Arab Americans and Muslim Americans, however, has rarely been the case. The intention of this collection of lesson plans is to bring about a reform in the ways in which both teachers and students think about the “hyphenated” American, adding “Arab American” to the list. This lesson in particular seeks to emulate the accomplishments and progress made by the civil rights movement of African Americans in the 1960’s, exposing the students to both the general concepts and applications behind Title VII of the Civil Rights Act of 1964, as it specifically relates to discrimination against Arab Americans and Muslim Americans in the workplace.

While discussing the cultural and historical values that Arab Americans bring to the American workplace, it is important to draw on information learned in previous lessons about Arab-American culture and history. If this lesson is taught in isolation, it will be important to preface it with a discussion of Arab-American history in America and culture.

The goal of this lesson is to help students learn about issues of discrimination in the workplace, and to begin to understand how the law prohibits such discrimination. All classes will be at different levels of understanding about discrimination, so it is also important to be sure that students understand not only what discrimination is, but they should also be able to recognize why discrimination is wrong and harmful. Teachers may want to preface this lesson with a discussion about discrimination emphasizing the various forms it may take as well as showing how it violates American democratic values. Discrimination robs victims of their rights to equality, justice, and ultimately freedom. Discrimination results in a lack of respect for others, and in the workplace it actually results in bad business.

Most students have witnessed some form of discrimination, and encouraging students to discuss their personal experiences may be a way to help students understand the human side of discrimination. Students might also discuss the examples in this lesson by attempting to identify the feelings of the victims and the aggressors in each incident.

Arab Americans and Muslim Americans are often misunderstood, and many of your students may already have preconceived ideas about these communities. ADC has

valuable resources available to teachers that might help introduce your students to Arab Americans and/or Muslim Americans. It might be appropriate to discuss cultural stereotypes about Arab Americans and Muslim Americans with your students. The following resources may be useful to help you teach about issues of discrimination and Arab Americans and Muslims.

Suggested resources for teachers

ADC Research Institute, “Unmasking Job Discrimination: What Every Arab American Should Know About Discrimination in the Workplace.” (Washington DC, 1997). A guide published by the ADC, which defines in detail aspects of employment discrimination. It provides tools to recognize workers’ rights, prevent discrimination in the workplace, and legally address violations. www.adc.org. Search for it by title.

For ADC reports on discrimination and hate crimes, including those in educational institutions, see the Media and publications section of the ADC website at <http://www.adc.org>. The Education section offers an abundance of educational materials on Arab-Americans, the Arab world, and on issues of anti-Arab discrimination.

Anan Ameri, and Holly Arida, eds. *Daily Life of Arab Americans in the 21st Century* (ABC-CLIO, 2012).

Essays on Arab-American immigrants, discrimination and the impact of 9/11, family life, employment, education, religion, politics, and the arts. For high school and up. Introduction online at http://books.google.com/books?hl=en&lr=&id=OCAXp5RPKEgC&oi=fnd&pg=PP2&dq=daily+life+of+arab+americans+in+the+21st+century&ots=gq5dn7c7uc&sig=mnlj577PalGPFOYrhfNj22OEq_E#v=onepage&q=daily%20life%20of%20arab%20americans%20in%20the%2021st%20century&f=false.

Educators for Social Responsibility, www.esrnational.org.

Website offers several links to information intended to help teachers bring social responsibility into the classroom. This site includes free lesson plans and valuable resources covering many issues related to September 11, including information about Arab Americans and other groups that have experienced discrimination.

U.S. Department of Justice, Civil Rights Division, Employment Litigation Section, “Frequently Asked Questions.” <http://www.justice.gov/>

This website gives answers to a number of questions about the Title VII, the Department of Justice’s role in protecting individual’s civil rights, the relationship between the Department and the EEOC, and much more. Search for specific topics of interest. For example, on discrimination against Muslims in the workplace, see

http://www.justice.gov/crt/spec_topics/religiousdiscrimination/ff_employment.php.

The U.S. Equal Employment Opportunity Commission, “Title VII of the Civil Rights Act of 1964.” <http://www.eeoc.gov/laws/statutes/titlevii.cfm>

This website offers verbatim the law known as Title VII of the Civil Rights Act of 1964. In general, the Equal Employment Opportunity Commission website, offers helpful information for individuals concerned with knowing their civil rights and facing violation of their rights. On Arabs, Muslims, and South Asians, see <http://www.eeoc.gov>.