White men and discrimination: 3 myths

While Title VII prohibits discrimination based on any race or either gender, minorities and women aren’t the only ones protected by the law. So-called “reverse” discrimination claims are rarer, but they do exist. Important: Managers must not ignore or make light of complaints by white, male employees because of the following misguided beliefs.

1. **White men are the perpetrators of discrimination and harassment, not victims of it.** One look at the charges filed with the U.S. Equal Employment Opportunity Commission (EEOC) shows that male workers file sex discrimination lawsuits and white workers file race discrimination lawsuits less frequently than do women and minorities. However, this should not discount the fact that such lawsuits are filed and that the traditional victims are sometimes the perpetrators.

The demographics of the U.S. population and labor force are changing. Minorities are expected to become the majority by 2050. In a case in which Hispanic supervisors were accused of discriminating against an employee because of his race (Caucasian) and national origin (non-Hispanic), the EEOC stated: “As the workplace evolves demographically, it is important for top management to ensure that a nondiscriminatory environment is maintained regardless of changes in the race of people in the pecking order of an organizational chart.” *(EEOC v. Coil Tubing Services, LLC)*

2. **Discriminating against white men helps level the playing field.** A good diversity program is inclusive, not divisive. Equal opportunity must be provided to all, not just some. *Example:* A restaurant chain had a tradition of hiring only women as servers, which dated back to 1938. The company settled the case for $1 million and agreed to revise its hiring policy. *(EEOC v. Lawry’s Restaurants, Inc.)*

“Tradition” is a flimsy defense for discriminatory hiring practices. Even having good intentions is typically not enough to justify hiring or promoting a minority over a more qualified non-minority. You cannot violate Title VII under the guise of affirmative action.

3. **Men enjoy the attention and are flattered when a woman comes on to them.** An attitude such as this often leads to male employees’ harassment complaints not being taken seriously. Failing to handle complaints properly leads to Title VII liability.

“It cannot be assumed that because a man receives sexual advances from a woman that those advances are welcome,” the 9th Circuit recently ruled when it sent to trial a male employee’s sexual harassment lawsuit in which he claims he endured repeated sexual overtures from a female co-worker despite his clear objections.

An assistant general manager allegedly told the employee that he should walk around singing to himself, “I’m too sexy for my shirt.” *(EEOC v. Prospect Airport Services, Inc.)*

Don't shrug off same-race harassment

Don’t assume that harassment is OK because the harasser and victim share the same attributes. Same-race and same-sex harassment claims are actionable under Title VII. Remember this three-phrase script when any
employee alerts you of harassment:

1. “I’m glad you told me.”
2. “You are very important to us.”
3. “I will help you immediately.” Then contact HR.