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## Affirmative Action in Employment

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Affirmative action programs have been voluntarily used by employers for many years to attain the kind of diverse work force that reflects their consumer base and helps them compete effectively in a multiracial, international business environment. In fact, a recent study of Fortune 500 companies found a positive correlation between affirmative action hiring practices and stock performance.

Affirmative action in employment involves active recruitment of women and minorities by looking for candidates beyond informal job networks traditionally dominated by white men. Affirmative action encourages the public advertisement of jobs to identify qualified candidates in places where employers might not otherwise look. In good faith efforts, companies often set goals to diversify their work force by a certain date, which encourage managers to make concerted efforts to cast a wide net in favor of qualified minorities or women. Although such measures are often confused with "quotas," these "goals and timetables" do not mandate the hiring or promotion of a specific number of minority or female candidates. ***Quotas are not legal, not tolerable, and are not affirmative action.***

***Hiring goals and a timetable encourage managers to look harder for qualified women and minorities and to think twice about the real qualifications they assign to a given candidate*** for a job or promotion. Rather than merely hiring their "buddies" or someone who looks like them, affirmative action opens doors of opportunities for all qualified individuals—regardless of their race, gender, or national origin.

Courts sometimes impose affirmative action remedies on companies or municipalities whose hiring or promotional practices have proven to be egregiously discriminatory. Sometimes these courts include strict numerical goals designed to redress the harms caused by overt discrimination. The Supreme Court has consistently ruled that such remedies are allowed under the Constitution to redress discrimination against individuals.