

National EEOC ADA Research Project



Brian T. McMahon

Sr. Research Professor, PM&R

Professor, Rehabilitation Counseling, VCU

Recent Findings in Hiring Discrimination

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WHAT'S IN THE DATABASE?

369,182 Title I CLOSED allegations over 13.2 yrs

GROWS @ 5% per year

CHARGING PARTY = PERSON WITH DISABILITY

- 45 unique and known impairments
- Race, Gender, Age

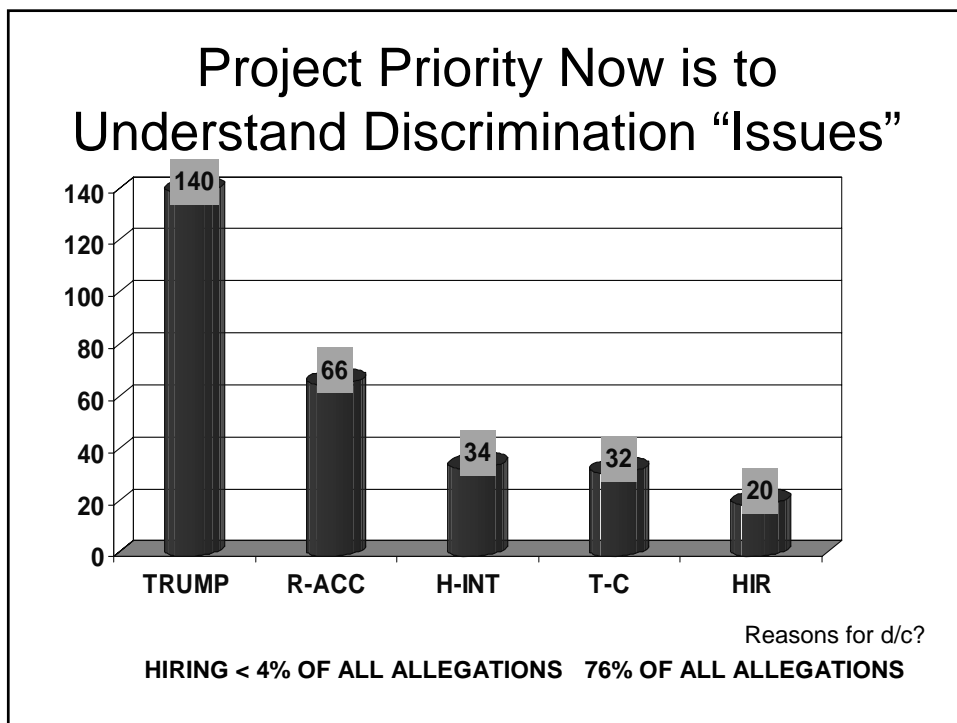
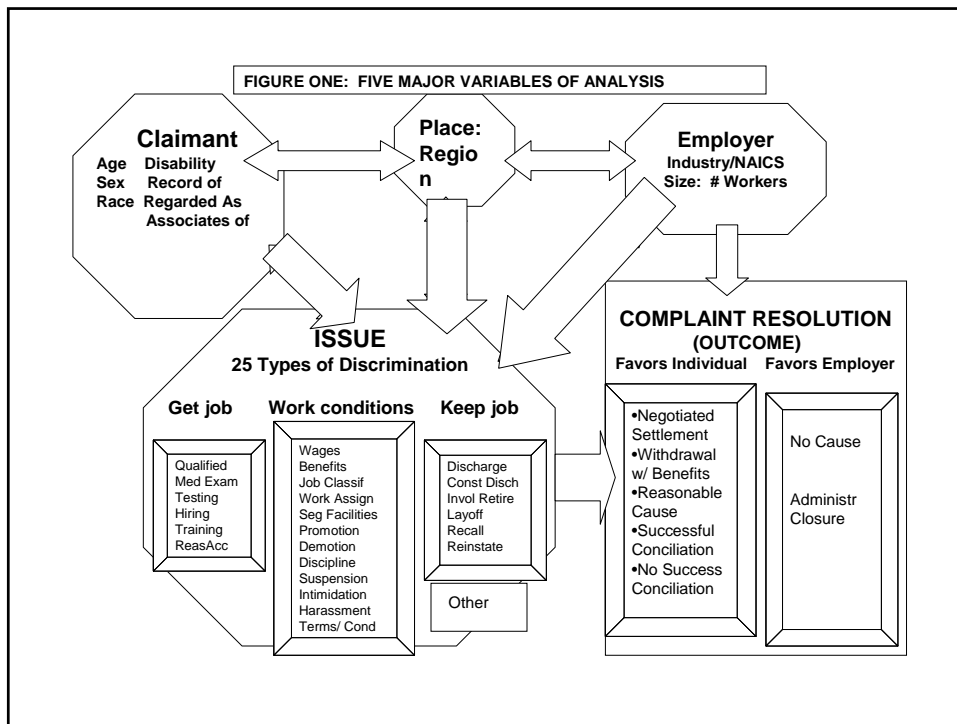
RESPONDENT = EMPLOYER

- 20 unique industry groupings (2002 NAICS)
- Number of Employees
- LOCATION (DBTAC or Census Region)

ISSUES: 25 unique types of discriminatory behavior

OUTCOME/RESOLUTION: allegation has/not Merit





“ISSUES” Publications Underway ...

Out of 40 Issues,

5 ISSUES CONSTITUTE 76% OF DATABASE:

In order of importance to EEOC:

1. **HIRING:**
 - » **Most Expensive Remedies (especially Back Pay)**
 - » **Most Responsible for Low Labor Market Activity Rate**
2. REASONABLE ACCOMMODATION
3. DISCHARGE/CONSTRUCTIVE DISCHARGE
4. HARRASSMENT/INTIMIDATION
5. TERMS/CONDITIONS

TODAY: HIRING DECISION, LET’S ADD HIRING-RELATED:

- REINSTATEMENT & RECALL: 7579
- PROHIBITED MEDICAL INQUIRY: 2423
- QUALIFICATION STANDARDS: 615
- TESTING: 398
- UNION EXCLUSION or SEGREGATION: 372
- POSTING NOTICES: 193
- APPRENTICESHIP: 56
- ADVERTISING: 45

- **TOTAL: 11,681+ 19,528 = 31,029 (still #4)**

For Each Issue ...

CHARACTERISTICS OF CHARGING PARTIES

- Impairment, Age, Gender, Ethnicity

CHARACTERISTICS OF EMPLOYERS

- Industry, Size, Location

NATURE OF CLOSURE STATUS

- Merit (favors charging party); No-merit (favors employer)

CHAID ANALYSIS: PREDICTORS OF MERIT

TREND ANALYSIS: HOW DOES HIRING CHANGE OVER TIME?

HIERARCHICAL LINEAR MODELING: THEORY BUILDING

*** 4 DONE FOR HIRING AND IN PRESS

*** 2 TO BE COMPLETED FOR HIRING BY 7/08

HIRING DISCRIMINATION:

What we now know

- HIRING is (distant) 4th largest issue: n=19,528

HX1.5=Harassment HX3=Reas.Accom Hx7=Firing

- Applicants are disproportionately
 - Younger (16-34)
 - More Caucasians
 - More Males
 - More Visibly Disabled: Physical, Sensory, Neurological
- Employers are disproportionately
 - Smaller (<100)
 - More Discriminatory Industries
 - Education
 - Public Administration
 - Agriculture, Fishing, Forestry and Hunting
 - Transportation and Warehousing
 - Professional, Scientific, and Technical
 - Construction
- HIGHER MERIT RATE (26% vs. 20.6%)

THANKS AND

- Your questions or comments please?.....