

American Social Welfare Policy: A Pluralist Approach

Chapter 4

Discrimination in American Society

Discrimination

- The causes of discrimination in U.S. society are complex
- Discrimination must have moral, social, and theological underpinnings

Racism

- Discrimination against & prejudicial treatment of a racially different minority group
- A pattern of racial discrimination that is strongly entrenched in a society is called:
 - Institutional racism

The Minority Middle Class

- The Census Bureau has no official definition of the middle class
- The growth of the minority middle class

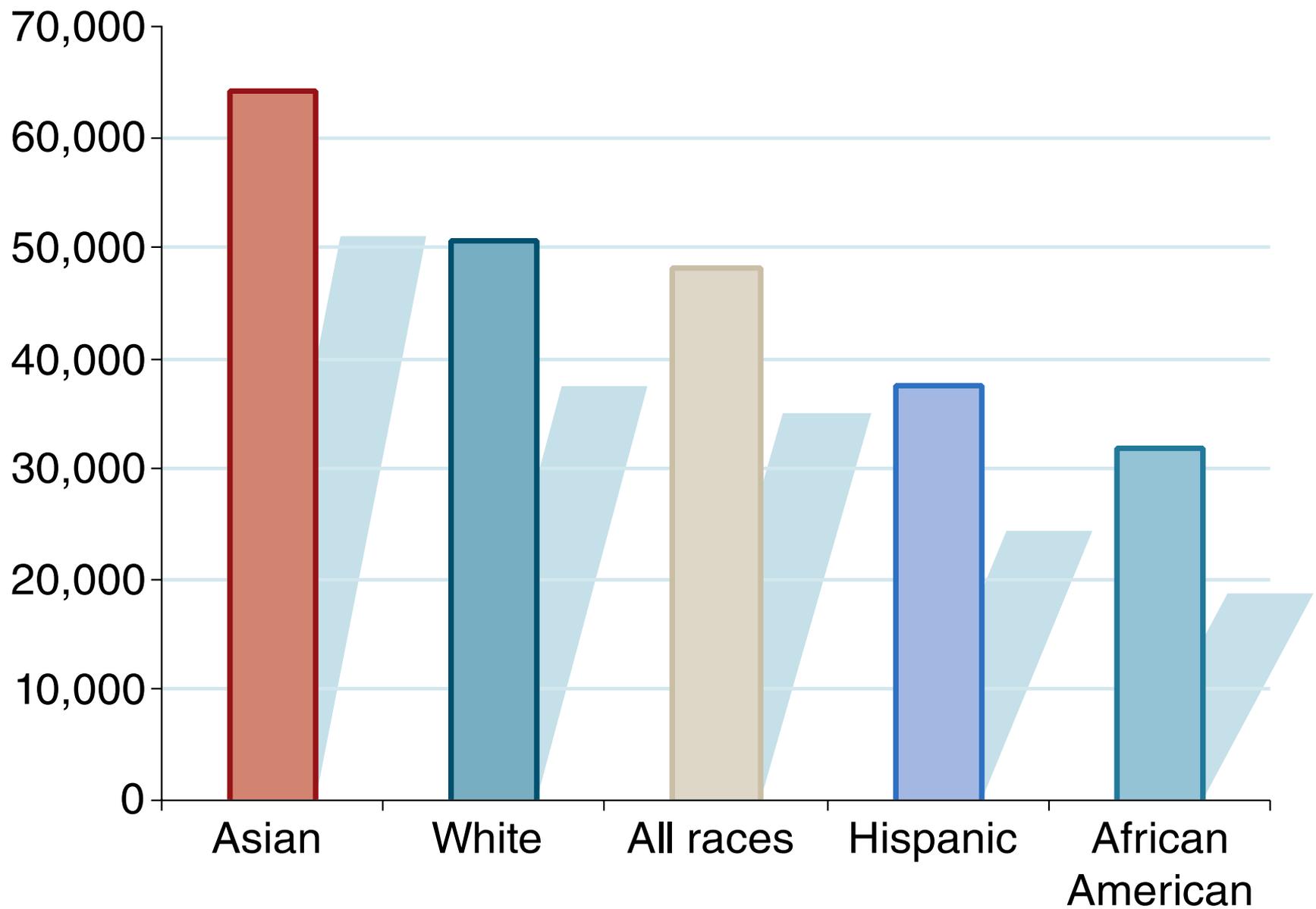


FIGURE 4.1 Median Household Annual Income, 2006

African Americans

- The Demography of African Americans
- African Americans and Poverty
- The “Diswelfare” of African Americans
 - Poverty
 - Family Structure
 - African American Businesses

African Americans

- Labor Force Participation and Income
- Crime
- Housing
- Health
- Education
- Welfare Dependency

TABLE 4.1 Usual Weekly Earnings of Full-Time Wage and Salary Workers Aged 25 and Over 2011

	*Asian	White		African American		Hispanic	
		Men	Women	Men	Women	Men	Women
No H.S. Diploma	\$284	\$301	\$272	\$280	\$246	\$294	\$260
H.S. Grad	\$326	\$390	\$328	\$335	\$298	\$341	\$302
Some College or Associate Degree	\$369	\$438	\$368	\$374	\$341	\$377	\$338
BA Degree	\$502	\$587	\$496	\$494	\$451	\$460	\$424
BA Degree and Higher	\$575	\$615	\$535	\$502	\$489	\$488	\$472
Advanced Degree	\$679	\$733	\$632	\$520	\$590	\$606	\$567

*Gender division for Asian women was not available.

TABLE 4.2 Infant Mortality Rates and Ranks*: Selected Countries, 2012 (Deaths per 1,000 Live Births)

Rank	Country	Rate	Rank	Country	Rate
221	Japan	2.21	180	Greece	4.92
219	Singapore	2.65	179	Taiwan	5.10
218	Sweden	2.74	178	Hungary	5.24
214	Italy	3.36	174	United States	5.98
213	Spain	3.37	173	Croatia	6.06
212	France	3.37	170	Serbia	6.40
211	Finland	3.40	169	Poland	6.42
208	Germany	3.51	168	Slovakia	6.47
202	Ireland	3.81	161	Chile	7.36
200	Switzerland	4.03	152	Costa Rica	9.20
199	Israel	4.07	148	Sri Lanka	9.47
198	South Korea	4.08			
196	Denmark	4.19	144	Botswana	10.49
195	Austria	4.26	137	Panama	11.32
189	Australia	4.55	119	Malaysia	14.57
188	United Kingdom	4.56	111	China	15.62
187	Portugal	4.60	104	Mexico	16.77
184	New Zealand	4.72	96	Venezuela	20.18
183	Cuba	4.83	94	Brazil	20.50
182	Canada	4.85	90	Peru	21.50

*Ranks are on a scale from 1 to 222, with 1 being the country with the highest infant mortality rate and 222 being the country with the lowest.

Hispanic Americans

- Hispanic Poverty and Income
- Diversity in the Hispanic Population
- American Indians
 - Indian Child Welfare Act of 1978

TABLE 4.3 Selected Indicators of American Indian Social and Economic Well-Being, 2003

	Native American Indian	All Races
% of single-parent households with children	45.4	31.8
H.S. dropout rate	15.5	9.0
% of those age 16–19 not in school or working	14.8	8.0
% of children in poverty	32.8	17.0
% of married couples with children in poverty	46.6	24.0
Median income	\$36,549	\$43,318

Asian Americans

- There are more than 25 Asian-Pacific subgroups in the United States
- Perhaps the most striking feature is their high median family income
- Asians in the U.S. have experienced more subtle forms of discrimination

Immigrants and Immigration

- The pace of economic growth in the 1990s would have been impossible without:
 - The influx of immigrants who contributed to job growth
- Guest Workers
- Immigration-Based Discrimination in Europe

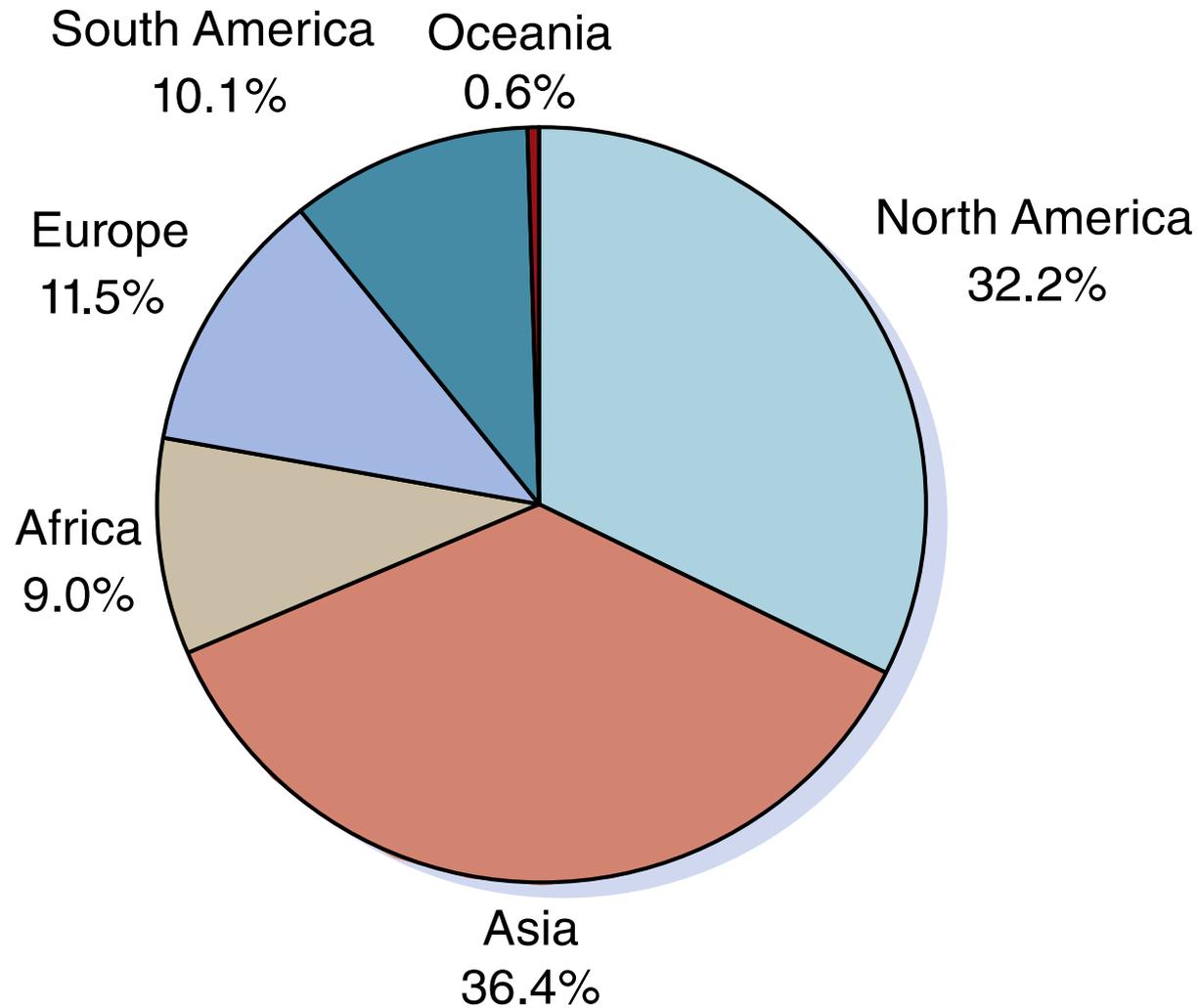


FIGURE 4.2 Immigrants by Place of origin, 2007

Women and Society

- Violence and Sexism
- The Feminization of Poverty
 - Transfer programs
- Myths Around Women and Work
- Income and Job Disparities Between Men and Women

Women and Society

- Day Care: A Barrier to Female Employment
 - The U.S. is the only industrialized country in the world without paid maternity leave

Women and Society

- Other Obstacles Faced by Working Women
 - Comparable worth
 - Dual-labor market
- Abortion and Women's Rights
- Gender Discrimination in an International Context

TABLE 4.4 Monthly Budget for a Working Mother with One Child in School and One Infant in Day Care (Gross Monthly Income for a Full-Time Worker at \$7.25 an hour: \$1,160)

Expenses	Monthly Total
Day care for 1 child	\$ 611.00 ^a
Rent	\$ 650.00 ^b
Health care	\$ 93.75 ^c
Utilities	\$ 60.00 ^c
Food	\$ 367.00 ^d
Clothing	\$ 62.00 ^a
Transportation	\$ 200.00 ^c
Entertainment	\$ 50.00
Sundry items (e.g., soap, cleaners, repairs, sheets, blankets, etc.)	\$ 100.00 ^c
Total approximate cost	\$2,193.75 ^c
Monthly deficit between income and budget	-\$ 1087.75

- a. Child care costs are calculated based on the average of the most and least expensive cities for child care according to the Child Care Aware[®] of America, Press Releases Despite Weak Economy, Child Care Costs Continue to Rise, August 15, 2012, Retrieved October 2012 from, <http://www.naccrra.org/news-room/press-releases/2012/8/despite-weak-economy-child-care-costs-continue-to-rise>.
- b. Rent was calculated on the basis of the average of HUD—determined fair market rents for a 2-bedroom. See HUD 2012 Fair Market Rents (FMR) Effective October 1, 2011, Retrieved October 2012 from, http://www.ohiohome.org/compliance/fairmarket-rents_12.pdf
- c. Calculated from the Bureau of Labor Statistics, Consumer Expenditures, September 25, 2012. Retrieved December 2012 from, <http://www.bls.gov/news.release/cesan.nr0.htm>
- d. The amount for food is based on the maximum SNAP allocation that this mother would receive in 2012 if she had 1 child and no countable income.

In 2006, approximately 59 percent of women were in the labor force. The unemployment rate for women in 2006 was 4.6 percent. Asian women had the lowest rate (3.1 percent), with white (4 percent), Hispanic (5.9 percent), and African American women (8.4 percent) following. From 1975 to 2006, the labor force participation rate of mothers with children under age 18 rose from 47 percent to 71 percent. Mothers with older children are more likely to be working than mothers with children under 6 years old. Unmarried mothers (76 percent) have higher participation rates than married mothers (68 percent). Only 7 percent of women were engineering managers and 33 percent lawyers, but 91 percent were registered nurses and 83 percent were social workers. Hispanic and African American women are more likely than white and Asian women to work in service occupations. Women who worked full time in 2006 had median weekly earnings of \$600. This was 80.8 percent of the \$743 median weekly earnings of men. The average workweek for women has increased by about 2 hours since 1976.

FIGURE 4.3 Who Is in the Work Force?

TABLE 4.5 Median Usual Weekly Earnings of Full-Time Wage and Salary Workers By Occupation and Sex, 2011 Annual Averages

Weekly Earnings Selected Occupations	Women	Men
Management, Professional and Related Occupations	\$941	\$1,269
Management, Business and Financial Operations	\$977	\$1,370
Service Occupations	\$433	\$551
Sales and Office Occupations	\$602	\$738
Office and Administrative Support Occupations	\$615	\$668
Natural Resources, Construction, and Maintenance Occupations	\$515	\$740
Installation, Maintenance, and Repair Occupations	\$751	\$807
Production, Transportation and Material Moving Occupations	\$485	\$651
Number of Workers (in thousands) Selected Occupations	Women	Men
Management, Professional and Related Occupations	20,524	19,267
Management, Business and Financial Operations	7,386	8,676
Service Occupations	6,991	7,387
Sales and Office Occupations	13,977	9,012
Office and Administrative Support Occupations	9,908	3,787
Natural Resources, Construction, and Maintenance Occupations	391	9,574
Installation, Maintenance, and Repair Occupations	146	4,013
Production, Transportation and Material Moving Occupations	2,603	10,730

TABLE 4.6 Median Weekly Earnings, Selected Traditionally Female Occupations, 2007

Occupation	Earnings	
	Women	Men
Registered nurses	\$976	\$1,098
Elementary school teachers	847	938
Cashiers	344	409
General office clerks	550	584
Health aides, except nursing	373	434

TABLE 4.7 Annual Median Earnings of Persons by Educational Attainment and Sex, Year-Round, Full-Time Workers, 2010

Level of Education	Women	Men
9th to 12th grade (non-graduate)	\$20,883	\$29,435
High school graduate	\$29,857	\$40,055
Some college, no degree	\$33,401	\$46,434
Associate degree	\$37,773	\$50,282
Bachelor's degree or more	\$51,942	\$71,778

TABLE 4.8 States with the Most and Least Expensive Child Care Costs, 2007

Most Expensive States 4 Year Old Child

Massachusetts	\$10,787
Wisconsin	10,524
New York	10,473
Colorado	9,765
Minnesota	9,350
Connecticut	9,111
Washington	8,804

Least Expensive States

Mississippi	\$3,380
Arkansas	4,475
Louisiana	4,610
South Carolina	5,460
Alabama	4,888
Missouri	4,836
West Virginia	4,560

TABLE 4.9 Comparable Worth and Average Annual Income, 2006

	2006 Mean Annual Income
Child care workers	\$ 18,820
Teacher assistants	21,860
Nursing aides	22,960
Hairdressers and cosmetologists	24,550
Preschool teachers	25,900
Home health aides	20,100
Social and human services assistants	27,200
Fitness trainers	31,710
Auto mechanics	36,070
Truck drivers	36,320
Maintenance and repair workers	39,060
Machinists	35,810
Auto body mechanics	38,230

Source: U.S. Department of Labor, Bureau of Labor Statistics, Occupational Employment Statistics, 2006.

TABLE 4.10 Countries Where Female Genital Mutilation Has Been Documented

Country	Year	Estimated Prevalence of Female Genital Mutilation 15-49 Years (%)
Benin	2006	12.9
Burkina Faso	2006	72.5
Cameroon	2004	1.4
Central African Republic	2008	25.7
Chad	2004	44.9
Côte d'Ivoire	2006	36.4
Djibouti	2006	93.1
Egypt	2008	91.1
Eritrea	2002	88.7
Ethiopia	2005	74.3
Gambia	2005/6	78.3
Ghana	2006	3.8
Guinea	2005	95.6

Guinea-Bissau	2006	44.5
Kenya	2008/9	27.1
Liberia	2007	58.2
Mali	2006	85.2
Mauritania	2007	72.2
Niger	2006	2.2
Nigeria	2008	29.6
Senegal	2005	28.2
Sierra Leone	2006	94
Somalia	2006	97.9
Sudan, northern (approx. 80% of the total population in survey)	2000	90
Togo	2006	5.8
Uganda	2006	0.8
Tanzania	2004	14.6
Yemen	2003	38.2

Gays and Lesbians: Two Populations at Risk

- Gay Rights
- Gays and Lesbians in the Military
- Gay and Lesbian Family Life
- AIDS and the Gay Community
 - Homophobia
- An International Perspective on LGBT Rights

Ageism

- Ageism is a problem in a consumer-oriented society that idolizes youth
- Elderly Poverty and Social Programs
- Health Care and the Elderly

People with Disabilities

- Definition—the psychosocial model—
 - Views disability as a socially defined category
- The greatest stride in disability rights occurred on July 26, 1990
 - Americans with Disabilities Act

TABLE 4.11 Disabled Persons, Age 21–64

Disability	Percent Employed*
Difficulty hearing	68.1
Difficulty seeing	55.3
Mental disability	47.2
Difficulty walking	40.8

*Persons may have more than one type of disability.

TABLE 4.12 Characteristics of the Civilian Noninstitutionalized Population by Age, Disability Status, and Type of Disability, 2010

	Number (in thousands)	Percent
Total all ages	303,858	100
With any disability	66,672	18.7
With severe disability	38,284	12.6
Total population 6 years and older	278,222	100.00
Needed personal assistance	13,349	4.4
Total population 15 years and older	241,682	100
With any disability	451,454	21.3
visual	10,087	4.1
hearing	8668	4.1
mental	14,329	6.4
Total population 25 to 64 years	177,925	100
With any disability	29,479	16.6
Severe disability	20,286	11.4
Total population 65 years & older	38,599	100
With any disability	19,234	49.8
With a severe disability	14,138	36.6

Source: Monthly Labor Review, Assistance with Disability, 2010, U.S.

Legal Attempts to Remedy Discrimination

- Attempts to eliminate discrimination are a relatively recent development
- Plessy v. Ferguson

Legal Attempts to Remedy Discrimination

- Desegregation and the Civil Rights Movement
 - Brown v. Board of Education of Topeka, Kansas
 - Swann v. Charlotte-Mecklenburg Board of Education
- Affirmative Action

I. Employment

- A. Employers may not discriminate against an individual with a disability in hiring or promotion if the person is otherwise qualified for the job.
- B. Employers can ask about one's ability to perform a job but cannot inquire if someone has a disability; nor can employers subject a person to tests that tend to screen out people with disabilities.
- C. Employers must provide "reasonable accommodation" to employees with disabilities. This includes job restructuring and modification of equipment. Employers are not required to provide accommodations that impose an "undue hardship" on business operations.
- D. All employers with 15 or more employees must comply with the ADA.

II. Transportation

- A. New public transit buses and rail cars must be accessible to individuals with disabilities.
- B. Transit authorities must provide comparable para-transit or other special transportation services to individuals with disabilities who cannot use fixed bus services, unless an undue burden would result.
- C. Existing rail systems must have one accessible car per train.
- D. New bus and train stations must be accessible. Key stations in rapid, light, and commuter rail systems must be made accessible. All existing Amtrak stations must be accessible by July 26, 2010.

III. Public Accommodations

- A. Private entities such as restaurants, hotels, and retail stores may not discriminate against individuals with disabilities.
- B. Auxiliary aids and services must be provided to individuals with vision or hearing impairments, unless an undue burden would result.
- C. If removal is readily achievable, physical barriers in existing facilities must be removed. All new construction and alterations of facilities must be accessible.

IV. State and Local Government

- A. State and local governments may not discriminate against individuals with disabilities.
- B. All government facilities, services, and communications must be accessible, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973.

V. Telecommunications

- A. Companies offering telephone service to the general public must offer telephone relay services to individuals who use telecommunications services for the deaf (TDDs) or similar devices.

FIGURE 4.4 A Summary of the Americans with Disabilities Act

TABLE 4.13 Milestones in Civil Rights and Affirmative Action Rulings

Legislation or Court Ruling	Summary
<i>Plessy v. Ferguson</i> (1896)	The U.S. Supreme Court established the “separate but equal” doctrine.
Fair Employment Practices Committee (1935)	Employers are directed to not discriminate in hiring based on race.
<i>Brown v. Board of Education of Topeka, Kansas</i> (1954)	The Supreme Court ruled that “separate but equal” facilities in education were inherently unequal.
Equal Pay Act of 1963	Men and women have a right to equal pay for doing the same work
Civil Rights Act of 1964, including amendments added in 1972, 1978, and 1991	<ol style="list-style-type: none">1. Voter registration is a legal right that cannot be tampered with.2. It is unlawful to discriminate or segregate based on race, color, religion, or national origin in any public accommodation, including hotels, motels, theaters, and other public places.3. The attorney general will undertake civil action on the part of any person who is denied access to a public accommodation. If the owner continues to discriminate, a court fine and imprisonment will result.4. The attorney general must represent anyone who undertakes the desegregation of a public school.5. Each federal department must take action to end discrimination in all programs or activities receiving federal assistance.6. Public or private employers, employment agencies, or labor unions with more than 15 employees cannot discriminate against an individual because of their race, color, religion, national origin, or sex. An Equal Opportunity Commission will be established to enforce this provision. A 1968 amendment to this act prohibited discrimination in housing.

Age Discrimination Act of 1967

Persons over 40 may not be discriminated against in any terms or conditions of their employment.

Griggs v. Duke Power Co. (1971)

The Court prohibited discriminatory employment practices. It put the burden of proof on the employer to show that hiring criteria have a direct relationship to the job. *Griggs* was overturned by *Wards Cove Packing Co. Inc. v. Atonio* (1989), in which the Court imposed tougher standards for proving discrimination and shifted the burden of proof onto the employee.

Swann v. Charlotte-Mecklenburg Board of Education (1971)

The Court ruled in favor of court-ordered busing to achieve racial integration of school districts with a history of discrimination.

Title IX of Education Amendments of 1972

Institutions receiving federal financial assistance may not discriminate based on sex.

TABLE 4.13 (Continued)

Legislation or Court Ruling

Summary

Rehabilitation Act of 1973

Discrimination on the basis of mental or physical disability is prohibited.

Vietnam Era Veterans Readjustment Act of 1974

Employers with federal contracts must take steps to employ and advance qualified disabled veterans.

Milliken v. Brady (1974)

The Court ruled that mandatory school busing across city-suburban boundaries to achieve racial integration was not required unless segregation had resulted from an official action.

Marco DeFunis v. University of Washington Law School (1974)

DeFunis claimed that he was denied admission to law school even though his grades and test scores were higher than those of minorities who were admitted. The Supreme Court ruled in his favor.

Age Discrimination Act of 1975

Employers who receive federal financial assistance cannot discriminate based on age.

Regents of the University of California v. Bakke (1978)

The Supreme Court ruled that Alan Bakke was unfairly denied admission to the University of California-Davis Medical School. Like DeFunis, Bakke argued that his qualifications were stronger than those of many of the minority candidates who were admitted.

United Steelworkers v. Weber (1979)

The Court upheld an affirmative action plan to erase entrenched racial biases in employment.

Fullilove v. Klutznick (1980)

The Court ruled that federal public works contracts may require 10 percent of the work to go to minority firms.

Firefighters Local Union No. 1784 v. Stotts (1984)

The Court ruled that an employer may use seniority rules in laying off employees, even when those rules adversely affect minority employees. This ruling was a blow to affirmative action, because it perpetuated the dilemma that minorities are the last to be hired and the first to be fired. The Department of Justice used this decision to force Indianapolis and 49 other jurisdictions to abandon their use of hiring quotas.

Wyatt v. Jackson Board of Education (1986)

An affirmative action plan must have a strong basis in evidence for remedial action.

United States v. Paradise (1987)

The Court found that a judge may order racial quotas in promoting and hiring to address “egregious” past discrimination.

Johnson v. Transportation Agency (1987)

The Court permitted the use of gender as a factor in hiring and promotion.

City of Richmond v. J. A. Croson (1989)

The Court imposed standards of “strict scrutiny.” Racial or ethnic classifications must serve a compelling interest and be narrowly tailored.

Martin v. Wilks (1989)

The Court imposed tougher standards for Asian Americans to be included in affirmative action plans and made it easier to challenge settlements of those plans.

Metro Broadcasting Inc. v. FCC (1990)

The Court allowed minority preferences to promote diverse viewpoints across the airwaves.

TABLE 4.13 (Continued)

Legislation or Court Ruling

Summary

Adarand Constructors Inc. v. Peña (1995)

The Court ruled that federal affirmative measures using racial and ethnic criteria in decision making must meet the same standards of strict scrutiny imposed in *Croson*.

Hopwood v. State of Texas (1996 5th Cir.)

The appeals court ruled that the University of Texas's goal of achieving a diverse student body did not justify its affirmative action program, -suggesting that achieving diversity does not represent a compelling state interest.

California Proposition 209 (California Civil Rights Initiative) (1996). Now Article I, Section 31 of the California Constitution

Racial or gender preferences in public education, employment, and state contracting are prohibited. In 1997, a three-judge panel of the Ninth Circuit Court of Appeals upheld the referendum passed by -California voters. The U.S. Supreme Court refused to consider the appeal.^a The passage of the CCRI effectively put an end to affirmative action in California.

Washington State I-200 (1998)

"Preferences" in state and municipal hiring and recruitment to the state university system are prohibited. This 1998 ballot measure effectively repealed affirmative action in Washington state.

One Florida Plan (1999)

Racial preferences in university admissions and state contracting are prohibited. In November 1999, Florida Gov. Jeb Bush ordered an end to racial preference programs in agencies under his control. The One Florida plan replaces race and ethnicity with criteria such as a student's socioeconomic background, geographical diversity, status as a first generation college student, or preparation in a low-performing D or F school.

Grutter v. Bollinger and *Gratz v. Bollinger* (2003)

The U.S. Supreme Court ruled that race can be a factor in university admission decisions but limited the extent of it. In two separate but related decisions, the Court ruled that the University of Michigan's law school affirmative action policy (*Grutter v. Bollinger*) that favors minorities is legal. In the second decision (*Gratz v. Bollinger*) it ruled that the University of Michigan's undergraduate admissions, which awards 20 points on a 100 point scale to blacks, Hispanics, and Native Americans, violated equal protection provisions of the Constitution.

^aD.D. Gehring (ed.), *Responding to the New Affirmative Actions Climate: New Directions for Student Services* (San Francisco: Jossey-Bass, 1998).

Conclusion

- Discrimination takes many forms in the United States and elsewhere
- Discrimination can lead to poverty
- Discrimination has profoundly negative effects